

## PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Richard A. Kearny to be assistant surgeon in the Public Health and Marine-Hospital Service.

## RECEIVER OF PUBLIC MONEYS.

Benjamin C. Barbor to be receiver of public moneys at Lewiston, Idaho.

## REGISTER OF LAND OFFICE.

Henry W. Kiefer to be register of the land office at Blackfoot, Idaho.

## PROMOTIONS IN THE ARMY.

## CAVALRY ARM.

Second Lieut. Talbot Smith to be first lieutenant.

## INFANTRY ARM.

First Lieut. William S. Mapes to be captain.

## MEDICAL RESERVE CORPS.

Robert Skelton to be first lieutenant.

## COAST ARTILLERY CORPS.

Second Lieut. Walter P. Boatwright to be first lieutenant.

## POSTMASTERS.

## ALABAMA.

Thomas B. McNaron, Albertville.

## ARIZONA.

Jacob N. Cohenour, Kingman.

## COLORADO.

Anna Allert, Louisville.  
John A. Bunker, Paonia.  
Thomas Burns, Olathe.  
George A. Herrington, Montrose.  
Theodore E. Ickes, Center.  
W. Z. Kinney, Silverton.  
Lewis C. Lomax, Telluride.  
Eugene Reardon, Victor.  
George E. Rohrbough, Aspen.  
Newton W. Samson, Mancos.  
William Sherman Fisk, Meeker.  
William H. Woodruff, La Veta.

## DELAWARE.

James A. Hiron, Dover.

## IDAHO.

I. B. Evans, Preston.  
Uther Jones, Malad City.

## KANSAS.

J. T. Coles, Erie.  
Ewing Herbert, Hiawatha.  
Richard Waring, Abilene.

## MASSACHUSETTS.

Charles D. Brown, Gloucester.

## MICHIGAN.

Frank D. Ball, Crystal Falls.  
Lawson E. Becker, Fenton.  
Leonard M. Sellers, Cedar Springs.  
Timothy Smith, Howell.

## MINNESOTA.

John Chermak, Chatfield.

## NEBRASKA.

Samuel H. Weston, Dorchester.

## NEW JERSEY.

Augustus K. Gale, Westfield.

## NEW YORK.

Floyd S. Brooks, Ilion.  
Paul R. Clark, Auburn.  
Thomas J. Wintermute, Horseheads.

## OKLAHOMA.

W. S. Bell, Okmulgee.

## OREGON.

Renns A. Arnold, Toledo.  
Polk E. Mays, Joseph.  
William R. Olds, Grass Valley.  
Oliver P. Shoemaker, Newport.

## PENNSYLVANIA.

John E. Barrett, Scranton.  
Joseph M. Brothers, Knox.  
William G. Cochran, Woodlawn.  
Josiah R. Dodds, Franklin.

Frank N. Donahue, Carrolltown.  
Christmas E. Fitch, Wampum.  
Philip L. Freund, Arnold.  
James L. Greer, Stoneboro.  
Joseph T. Hemphill, Washington.  
Edgar C. Hummel, Hummelstown.  
James C. Jacobs, Burnham.  
Herman Long, New Cumberland.  
H. C. Snyder, Newville.  
Lynn G. Thomas, Canton.  
J. Wersler Thomson, Phoenixville.  
Robert B. Thompson, Freeport.  
Robert B. Thompson, Williamstown.

## RHODE ISLAND.

Arthur W. Stedman, Wakefield.

## WASHINGTON.

David M. Bender, Lynden.

## WISCONSIN.

Henry E. Blair, Waukesha.  
Platt Durand, Campbellsport.  
Paul L. Halline, De Pere.  
Robert V. Walker, Odanah.

## HOUSE OF REPRESENTATIVES.

TUESDAY, January 10, 1911.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read.

## CORRECTION.

Mr. AUSTIN. Mr. Speaker, the RECORD shows that I failed to vote yesterday on a roll call.

The SPEAKER. On which roll call?

Mr. AUSTIN. On ordering the previous question on the adoption of the rule. Page 693 of the RECORD this morning reports I was present and not voting. I never lose an opportunity to vote, Mr. Speaker.

The SPEAKER. Without objection, the correction will be made and the Journal will stand approved.

There was no objection.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 115) for the relief of Marcellus Troxell.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested.

S. 431. An act to reimburse the Southern Pacific Co. the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River;

S. 2430. An act for the relief of the heirs of John W. West, deceased;

S. 3898. An act for the relief of the heirs of Lieut. R. B. Calvert, deceased;

S. 7373. An act for the relief of volunteer officers and soldiers who served in the Philippine Islands under the act approved March 2, 1899; and

S. 9449. An act to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln.

## ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 6867. An act to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River;

H. R. 24786. An act to refund certain tonnage taxes and light dues; and

H. R. 25775. An act to authorize the Great Northern Development Co. to construct a dam across the Mississippi River from a point in Hennepin County to a point in Anoka County, Minn.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 115. An act for the relief of Marcellus Troxell; and

S. 3904. An act for the relief of the Merritt & Chapman Derrick & Wrecking Co.

## SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 9449. An act to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln; to the Committee on the Library.

S. 431. An act to reimburse the Southern Pacific Co. the amounts expended by it from December 1, 1906, to November 30, 1907, in closing and controlling the break in the Colorado River; to the Committee on Claims.

S. 2430. An act for the relief of the heirs of John W. West, deceased; to the Committee on Indian Affairs.

S. 3898. An act for the relief of the heirs of Lieut. R. B. Calvert, deceased; to the Committee on War Claims.

S. 7373. An act for the relief of volunteer officers and soldiers who served in the Philippine Islands under the act approved March 2, 1899; to the Committee on War Claims.

## GENERAL PENSION BILL.

Mr. FULLER. Mr. Speaker, by the direction of the Committee on Invalid Pensions I move to suspend the rules, discharge the Committee on the Whole House on the state of the Union from the further consideration of the bill (H. R. 29346), and pass the bill.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 29346) granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico.

*Be it enacted, etc.,* That any person who served 90 days or more in the military or naval service of the United States during the late Civil War, or 60 days in the War with Mexico, and who has been honorably discharged therefrom, and who has reached the age of 62 years or over, shall, upon making proof of such facts according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the pension roll and be entitled to receive a pension as follows: In case such person has reached the age of 62 years, \$15 per month; 65 years, \$20 per month; 70 years, \$25 per month; 75 years or over, \$30 per month; and such pension shall commence from the date of the filing of the application in the Bureau of Pensions after the passage and approval of this act: *Provided*, That pensioners who are 62 years of age or over, and who are now receiving pensions under existing laws, or whose claims are pending in the Bureau of Pensions, may, by application to the Commissioner of Pensions, in such form as he may prescribe, receive the benefits of this act; and nothing herein contained shall prevent any pensioner or person entitled to a pension from prosecuting his claim and receiving a pension under any other general or special act: *Provided further*, That no person shall receive a pension under any other law at the same time or for the same period that he is receiving a pension under the provisions of this act: *And provided further*, That no person who is now receiving or shall hereafter receive a greater pension under any other general or special law than he would be entitled to receive under the provisions herein shall be pensionable under this act.

SEC. 2. That the benefits of this act shall include any person who served the period of time therein specified during the late Civil War or in the War with Mexico, and who is now or may hereafter become entitled to pension under the acts of June 27, 1890, February 15, 1895, and the joint resolutions of July 1, 1902, and June 28, 1903, or the acts of January 29, 1887, March 3, 1891, February 17, 1897, February 6, 1907, and March 4, 1907.

SEC. 3. That rank in the service shall not be considered in applications filed hereunder.

SEC. 4. That no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in presenting any claim to the Bureau of Pensions or securing any pension under this act.

The SPEAKER. Is a second demanded?

Mr. FITZGERALD and Mr. SIMS. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Tennessee demands a second?

Mr. SIMS. Mr. Speaker, I rose for that purpose and used that language and I understand the gentleman from New York [Mr. FITZGERALD] also did. I am not particular who demanded it.

The SPEAKER. The gentleman from New York is opposed to the bill?

Mr. FITZGERALD. I am.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] demands a second.

Mr. FULLER. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection?

Mr. DWIGHT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and fifty-four gentlemen are present, not a quorum.

Mr. DWIGHT. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from New York moves a call of the House.

The question was taken, and the motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, and the Clerk will call the roll.

The roll was called and the following gentlemen failed to answer to their names:

Aiken	Fowler	Korbly	Pujo
Ames	Gaines	Kronmiller	Ransdell, La.
Andrus	Gardner, Mass.	Law	Reid
Ansberry	Garrett	Legare	Reynolds
Barchfeld	Gill, Md.	Lindsay	Rhinock
Bartlett, Nev.	Gill, Mo.	Livingston	Rodenberg
Bowers	Gillespie	Loudenslager	Sheffield
Broussard	Glass	Lundin	Sherley
Burleson	Goebel	McCredie	Slayden
Cantrill	Goldfogle	McGuire, Okla.	Smith, Tex.
Capron	Graham, Pa.	McKinlay, Cal.	Southwick
Carter	Grant	McMorran	Spight
Chapman	Gronna	Madden	Sturgiss
Cooper, Pa.	Hamill	Mann	Tawney
Coudrey	Harrison	Mays	Taylor, Ala.
Covington	Hitchcock	Millington	Tener
Cowles	Howard	Mondell	Thomas, Ky.
Davidson	Howell, N. J.	Moon, Pa.	Watkins
Denby	Hubbard, Iowa	Morehead	Weisse
Denver	Huff	Morgan, Mo.	Wheeler
Dickson, Miss.	Hughes, W. Va.	Mudd	Wickliffe
Dupre	Johnson, Ky.	O'Connell	Willett
Edwards, Ky.	Jones	Olcott	Young, Mich.
Estopinal	Kellher	Patterson	Young, N. Y.
Fassett	Kinkaid, Nebr.	Pearse	
Focht	Kinkaid, N. J.	Peters	
Foelker	Knapp	Pou	

The SPEAKER. There are present 280 Members—a quorum.

Mr. DWIGHT. Mr. Speaker, I move to suspend further proceedings under the call.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Doorkeeper will open the doors.

## GENERAL PENSION BILL.

Mr. FULLER. Regular order, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. FULLER] asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Illinois is entitled to 20 minutes, and the gentleman from New York [Mr. FITZGERALD] to 20 minutes.

Mr. FULLER. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to print on the subject of this bill.

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, I object.

Mr. DWIGHT. Mr. Speaker, I ask unanimous consent that Rule VIII of the House be read, and also the law of August 16, 1872, by the Clerk.

Mr. FITZGERALD. Let us have the regular order. That is not in order at this time.

Mr. DWIGHT. I would like to have it read, inasmuch as there is a quorum present.

Mr. FITZGERALD. Oh, send that notice to the Republicans quietly.

The SPEAKER. The gentleman from New York objects. The gentleman from Illinois [Mr. FULLER] is recognized.

Mr. FULLER. Mr. Speaker, I ask, then, unanimous consent that all Members who speak upon this bill may have five legislative days in which to extend their remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent that Members who speak upon this bill have five legislative days to extend their remarks in the RECORD. Is there objection?

Mr. FINLEY. Mr. Speaker, I object.

Mr. FULLER. Mr. Speaker, this bill comes before the House with the unanimous report of the Committee on Invalid Pensions. That committee has been busily engaged in giving its attention to special bills proposing to grant relief for the most needy of those who went out in their young manhood to fight the battles of the Union and who to-day are in distress, many of them for the necessities of life, many of them bedridden, unable to labor, and calling upon their country, to which they gave their best years, to give them relief in their old age, sufficient, at least, to provide for them the ordinary comforts of life.

No man not upon that committee can know anything of the great number of pitiable cases that come before us every day for action and for needed relief. The committee have unanimously determined that the time has come when the Congress of this great Nation should do justice to the defenders of the Union and do what it can to make comfortable the declining years of those old soldiers by general legislation that all may be treated alike. This bill would do away largely with the great number of special bills that we are reporting all the time for the action of Congress. By special legislation we can do justice to only a very few of the most deserving cases and can consider only a small proportion of those referred to the committee. This bill gives uniform relief, and if we are ever going to recognize further the debt this Nation owes to its



defenders, the time has come to-day to do it. All of them now are old men, most of them poor, most of them unable to earn a livelihood by manual labor, many of them in such condition, owing to their service for their country, that they are in need of the constant aid and attendance of another person. More than a hundred of these old soldiers are passing over the "Great Divide" every 24 hours. More than 3,000 every month are going into camp on the other shore, and we can not in justice longer delay. Mr. Speaker, there ought not to be a vote against this bill in this House. There ought not to be a man in this House with so little gratitude to our country's defenders, so little red blood in their veins, as to stand up here and cast a vote against this little measure of relief that we are proposing to give them now. It is right, it is just, it is humane. It is not charity; it is justice.

I can not take further time, because others desire to be heard, and the time is limited. Mr. Speaker, this country is great. It is the greatest, the most powerful, and the most wealthy nation on the face of the earth. Our flag floats in honor over land and over sea the world over, and the men who made it possible that we could have this great, united, rich, and prosperous country are the ones that to-day we are proposing to honor and deal justly by. This money paid for pensions, Mr. Speaker, does more good than any other money that can be, or ever is, appropriated by Congress.

It goes all over the country; it goes into the channels of trade and commerce everywhere. It is expended for the necessities of life, in the communities where the beneficiaries reside, and not a dollar of it is wasted, and, Mr. Speaker, as a measure of future defense to the Republic, I say that the treatment we give our soldiers, if we pass this just legislation, is of more benefit than all the forts and all the battleships that you could build in a hundred years. [Applause.] A great Nation of loyal and patriotic people can never suffer defeat. And the patriotism of our people stands, and forever will stand, as the one greatest bulwark of defense against foreign or domestic aggression. In this Republic there is nothing that stands between us and anarchy on the one side and despotism on the other but the written Constitution of the United States and the patriotism of the people. That patriotism should be encouraged, and the Government should let it be known once for all that no volunteer who offers his life in defense of the Union shall ever suffer want. [Applause.] Let the people of the country everywhere understand that a grateful country will take care of its defenders, will treat them liberally and justly, and when the country needs defenders you will find the boys of the future, with the knowledge that the Government stands by its defenders, ready to volunteer, as they were in 1861 to 1865 and in 1898, and to risk their lives whenever need be in defense of our country and its flag. [Applause.]

Mr. WILSON of Pennsylvania. Will the gentleman yield to a question?

Mr. FULLER. I can not yield to a question; my time is too limited, and others desire to speak.

The SPEAKER. The gentleman declines to yield.

Mr. FULLER. I would like to ask unanimous consent to extend my remarks in the Record and give the balance of my time to others.

The SPEAKER. Is there objection?

Mr. WILSON of Pennsylvania. Will the gentleman yield to a question? If so, I will not object.

Mr. FULLER. Very well; what is the question?

Mr. WILSON of Pennsylvania. The question I want to ask is this: I understand that this motion is not subject to amendment. Would the gentleman agree to amendment in line 12—

Mr. FULLER. I would not agree to any amendment; it does not matter what it is.

Mr. WILSON of Pennsylvania. To strike out, after the word "years," in line 12, on page 1, all down to and including the word "years," in line 1, page 2.

Mr. FULLER. I can not agree to any amendment.

Mr. WILSON of Pennsylvania. The effect of that would be to make the minimum pension \$25 a month.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. FULLER. I reserve the remainder of my time. [Applause.]

Mr. FITZGERALD. I yield to the gentleman from Massachusetts.

Mr. GILLET. Mr. Speaker, it is always pleasanter to vote for than against any appropriation that goes to individuals. It is pleasanter to give than to refuse, and when the giving is at some one else's expense the temptation is strong to be generous. Aside from the intrinsic pleasure of conferring a favor, we all like the reputation of being liberal and free-handed and

large-hearted, and to obtain this reputation without any cost to yourself is certainly alluring. And when the gift is to a large class of individuals who have wide political influence which you believe you are securing to your support the temptation is almost irresistible. A man actuated by selfishness only would vote for every such appropriation, for the general public takes little interest in his action, while those affected by the bill remember it deeply.

To vote for this appropriation, for instance, insures a man the satisfaction of bestowing pleasure on a great number of most deserving citizens; it assists him to the reputation of being generous and free, and it draws to his political support a large number of voters. Every man would prefer to vote for this bill; every selfish motive prompts him to it.

But if we allow those motives to control our action, we sacrifice the interests of the Government which we are here to protect. I think that is the most valid accusation which can be made against Congress to-day. Of graft of any kind we see nothing, but we all know that it is difficult for us to be fair to the Government's interest when it runs counter to our own. Appropriations from the National Treasury which will win us personal popularity are hard to defeat.

This bill is particularly hard to oppose. It appeals to a man's sentiment; it appeals to his impulse of kindness; it appeals strongly to his selfish interests. There is no class of men for whom I would so gladly vote as for the beneficiaries of this bill. I think few Members would jeopardize their political prospects in opposing it more than I do, but I do not think it ought to pass.

The duty and purpose of the Government to provide liberally for needy veterans everyone admits. Appropriations have been made for that end on a scale undreamed of before. There are comfortable homes established open to every needy man, where they enjoy their pension besides, and to those who have relations and friends at home there is given a monthly sum sufficient in ordinary cases to make them welcome guests.

And now comes this proposition to spend \$45,000,000 a year, not upon the needy, but given indiscriminately to the poor and to the rich, to the sick and to the healthy, alike. The veterans of the war are not all needy. They were the flower of our youth. Those who came back disabled were long ago provided for by the general law and will not be affected by this bill. Those who had their health went into the business world; many attained wealth; very many a competence, and do not need this bounty. I think in any further appropriations the time has come to select those in need and not give equally to all.

There are about 550,000 soldiers living. I suppose 150,000 of them are pensioned under the general law or by special acts, and would not be affected by this legislation. Of the remaining 400,000 I presume half do not require assistance. Thousands are in the Government employ, kept there generally because they are veterans, and drawing their pensions too, and the remainder have by their ability earned a competence. Therefore I do not think for that 200,000 we need to appropriate.

For the other 200,000 who are needy let us appropriate according to their needs. Let us give to ward off suffering, but let us not give to earn political gratitude. I appreciate fully the debt we owe to the veterans of the Civil War. I believe in generously admitting and paying that debt, and I think the veterans in my district have known and appreciated my interest in their behalf. I presume my political enemies will attempt to convince them now that I have deserted them.

But I do not believe this indiscriminate appropriation of \$45,000,000 is justified. I do not think it is the way to redeem our pledges to care for the veterans, and I hope it will not become a law.

Mr. FITZGERALD. I yield to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Speaker, in two minutes it is of course manifestly impossible to make any argument for or against the merits of this bill, and I have only asked for that time in order to explain my vote.

Two courses appear open to me in this matter—one the easy course, the other the difficult course. The gentleman from Massachusetts [Mr. GILLET] has well described the easy one, but that is not the course which in this instance I feel that I can follow. The only information with regard to the amount of expense that will be incurred in the passage of this bill is contained in the report of the committee, which shows that at the lowest estimate it will amount to more than \$45,000,000 a year. This bill comes up under a suspension of the rules, where no amendment is possible. We must either vote it up or vote it down. I should be glad to vote for a reasonable increase of the pensions now in force, but not for one which will involve as much as \$45,000,000 a year at this particular time. The

complaint of the people of this country to-day is that their necessary cost of living already presses heavily upon them. If we pass this bill it may result in an increase in their taxes by an amount equivalent to nearly \$50,000,000 a year. I do not believe we can afford to take that risk.

It is with great regret that I take this course, because I would be very loath to have it said that I was opposed to any recognition of the claims of the old soldiers of this country; but inasmuch as it would be adding an increased burden to the revenues of this country to do this at a time when the condition of the Treasury can ill afford it to the extent of more than \$45,000,000 a year, I shall cast my vote in opposition to this motion to suspend the rules.

[By unanimous consent Mr. LONGWORTH was granted leave to extend his remarks in the RECORD.]

Mr. FULLER. I yield to the gentleman from Kansas [Mr. CALDERHEAD].

Mr. CALDERHEAD. Mr. Speaker, in the three minutes allowed me I will not undertake to detail to this House the steps by which the committee have come to the conclusion that this is the wisest legislation upon the subject of pensions which the Congress can give to the people of the country. I will not undertake now to go into a detail of the foundation upon which this pension rests, but I must say in answer to the gentleman from Massachusetts [Mr. GILLET] that he has mistaken the foundation of it. The pensions granted to the soldiers who gave their service and offered their lives to maintain the life of the Nation are not pauper pensions, given to relieve from poverty. They are not pensions granted to paupers to save them from the county poorhouse. This is not a pension to paupers. This is the answer of the Nation to the men who saved it alive. There is no distinction to be made in the rank of the men who gave that service in the degree of this pension. It is given in the honor of the Nation. At the time when this service was rendered the wealth of this country was in the State of the gentleman from Massachusetts and in the State of the gentleman from Pennsylvania and in the State of the gentleman from the State of New York.

The wealth of this country west of the Mississippi River was so insignificant that it was hardly worth counting in a battle for the preservation of wealth. It was not a battle for the preservation of property; but all the property interests of this country were saved when the Union was saved, and the men who saved it gave their services voluntarily to perpetuate, not the wealth of Massachusetts or Pennsylvania or New York, to save not the almshouses of Massachusetts or of New England or of Pennsylvania or of New York, but to save the Nation alive amongst the nations of the earth; a Nation founded upon liberty and equality for all men; and it is because by their service they saved this Union and this Nation that the honor of the Nation, now richer than any other on the face of this habitable earth, now richer in individual manhood, a Nation that owns one-half of the railroads of the whole world, a Nation that now owns one-half of the banking power of the entire globe, a Nation that now owns one-half of the manufacturing and producing power of civilization, a Nation that leads the march of nations forward and upward; the honor of this Nation was then pledged to the world that no man who offered his life for its preservation should be in distress. And we now redeem that pledge. They did it without regard to a reward. And we now do this in honor to them. [Applause.]

[By unanimous consent leave was granted to Mr. CALDERHEAD to extend his remarks in the RECORD.]

Mr. FULLER. I yield to the gentleman from Indiana [Mr. DIXON].

Mr. DIXON of Indiana. Mr. Speaker, as a member of the minority party of the committee unanimously reporting this bill, I desire to say that while that minority preferred to report another bill, one that would more surely meet the approval of the soldiers and be more generous toward them, we all joined in the approval and unanimous report, favoring the passage of the pending measure. Personally, I would have preferred the dollar-a-day bill I have introduced in a former Congress and reintroduced in the present Congress, but I believe if you can not get what you want, it is best to take what you can get. It is true that a dollar-a-day pension law would have cost more money, but its benefits and blessings would have been correspondingly greater.

The enactment into law of this bill will increase the pensions of many thousands of soldiers who are now receiving less than the amount carried in the pending measure. This is in effect an amendment of the act of February 6, 1907, and increases the amount allowed under that law, to wit, \$12 to \$20, according to age, to \$15 to \$36. The soldier who served in the military or naval service of the United States during the Civil War, or 60

days in the War with Mexico, and was honorably discharged therefrom, upon arrival at the age of 62 years will receive a pension of \$15 per month; at 65, the sum of \$20 per month; at 70, the sum of \$25 per month; and at 75, the sum of \$36 per month. Those who have already reached said ages are entitled to the benefits of the law, from the date of filing their applications in the Bureau of Pensions.

The only qualification required, aside from length of service and honorable discharge, is the required age. The only soldiers excluded from its provisions are those without honorable discharge and those whose services were less than 90 days.

Elections, we are led to believe, affect legislation. We are led to believe that the result of the recent elections in some of the great States of the Middle West has not only opened the ears, but it has opened the hearts of the ruling powers in Congress to the claims of the soldiers, and they are willing to-day to give time for the passage of a measure that could not receive respectful consideration in any previous session of this Congress. [Applause.]

But we are glad of the result whatever may have been the purpose, and we gladly give it our support. These men came to the rescue of the Government in its hour of helplessness, and a great and prosperous Nation should come to their help in their hour of helplessness. This legislation could not be forced upon the attention of the ruling powers in the second session of this Congress, but it needed no power to secure their attention in the third session. Hundreds of bills similar to the pending measure have been put to eternal rest in former sessions. We rejoice at the result since the benefits accruing therefrom are unaffected by the reasons for that result. In Indiana and Ohio the Democratic platforms demanded more liberal pensions, for the dollar-a-day proposition, and many of the soldiers, having grown weary of repeated promises and neglected fulfillment, turned to our party for help, and this fact, I do not doubt, was one important reason for this sudden conversion. This legislation is right and should have been enacted before this time.

I do not believe that there should ever be any politics in this class of legislation, but that it should always be in response to the highest motives of patriotism and in recognition for the valued services of the soldiers. No mere money consideration can ever repay them for the services they performed; the hardships they withstood or the sufferings they endured. These men gave the vigor and strength of their early manhood to the Nation and made it the greatest of the powers of the earth, and now in their helplessness, the prosperous Nation should not hesitate to give out of its abundance of riches a sufficient sum to furnish them food, shelter, and support.

The war in which the men benefited by this bill were engaged is without a parallel in history. Its magnitude, now 45 years after its close, is not fully known by the rising generation. The number of Union soldiers enlisted was 2,778,304, of which number 543,393 were reenlistments, making the total number of soldiers 2,234,911.

In the Franco-Prussian War was the largest number of soldiers ever assembled in a European war, yet the total number was a million less than the Union soldiers of the Civil War.

The soldiers of the Union in the Civil War were three times as many as the total number of American troops in the Revolutionary War, Mexican War, the second War with England, and the War with Spain. The loss in killed and wounded in battle was many, many times as great.

Our children read of the Charge of the Light Brigade, as immortalized in poetry, yet the loss in killed and wounded in that famous charge was but 36.7 per cent.

There were more than a hundred regiments in the Civil War where the loss exceeded that of this well-known charge. In fact, the records show that there were 72 Union and 53 Confederate regiments, each of which lost in a single battle over 50 per cent of those engaged.

On June 30, 1910, there were Civil War soldiers on the pension rolls numbering 562,615.

This measure, when enacted into law, will at once increase the pensions as follows: From \$12 per month to \$15, 93,589; \$12 to \$20, 184,577; \$15 to \$25, 101,778; and \$25 to \$36, 63,461.

The increase granted to these men will, in one year, it is estimated, amount to \$45,489,468—a few less battle ships or a reduction in our military and naval expenses will make up this extra expenditure. These veterans, weakened and diseased from their Army sufferings and hardships, are dying at the rate of 36,000 per year, nearly 100 per day. This per cent will increase each year, as more than one-third of these soldiers are now over 70 years of age. These older veterans can not live many years longer. Let them have the most generous support of the Government they preserved, and the love and respect of the people who enjoy the blessings of that Government.



There are 2,910 Mexican soldiers now on the pension rolls, a very few of whom are under 75 years of age, and hence practically all of them will be entitled to \$36 per month under this bill. On June 30, 1910, there were 56,416 pensioners in the State of Indiana, and the amount paid them last year was \$10,546,090.58. This number included widows, children, and soldiers of all wars. The average annual amount of each pension in Indiana is \$186.93; in the entire country, \$171.90.

In that war over a million of the Union soldiers were at the date of enlistment under 18 years of age, and 80 per cent of the total enlistment were 21 years of age and under. In that great struggle Indiana did her full duty.

Within seven days from the date of the President's call for 75,000 troops, Indiana had 12,000 in camp, ready to march to the seat of war. Our State furnished 196,363 troops, and that was more than 50 per cent of her population eligible by age for military service. Taking into consideration her population, eligible for the Army, she furnished a larger proportion of soldiers than any State in the Union, with but a single exception. Her sons were found in every great battle of the war, and where the shots were thickest and the fighting fiercest and bloodiest, there the sons of Indiana were always found. We honor our Nation, our States, and ourselves when we honor these brave men.

We should not forget their services; enlistment was a serious business, a trying ordeal. They had hopes that must be abandoned, opportunities that must be lost, homes and loved ones that must be left behind, and business that must be forgotten. All these were laid aside and the hardships and privations of a soldier's life voluntarily assumed. The volunteer who presented himself to his country to be uniformed for battle and robed for death exhibited the highest and loftiest element of patriotism. Many of these brave men fell upon the field of battle; many dropped by the wayside, worn and weary from the long and forced marches; many dropped from the gunboats, and the rush of the waters was their only requiem; many died from disease in camps and in hospitals; many lingered in the slow death of prison martyrdom; and few, if any, returned unmarked in strength and health from that terrible conflict, that four years of struggle and privation.

A strong and generous nation should not allow any of these brave survivors to want for the comforts of life. This should be given not as an act of charity, but as an act of justice; not a matter of sympathy, but a recognition of gratitude. This debt of gratitude should be paid while the men are alive. We garland the graves of their dead on Memorial Day, and it is a proper and patriotic tribute to the dead, but the choicest flowers should go to the veterans living. The grave covered with the loveliest of earth's most beautiful flowers is but an expression of human sentiment and love; the soldiers living should be shown gratitude, kindness, respect, and generosity by the Government they saved and by all of us who enjoy the blessings and benefits of their services.

These men settled by the sword what their forefathers were unable to settle by compromise—the questions of human slavery and peaceful separation. That settlement was right, and all sections of our common country ratify and approve that solution. They established the American doctrine beyond dispute that a volunteer soldiery taken from the pursuits of industrial life can be depended upon to defend the country in time of war and a large standing army is unnecessary for the safety and security of our Government.

It is sad, indeed, to observe the aging of our soldiers. The long list is being rapidly diminished by death. Hardships borne and exposure suffered has hastened that event. It is difficult to identify in the grizzled veterans with the unsteady step and bended bodies the brave and heroic boys who with strength and patriotic fervor scaled the precipitous heights of Lookout Mountain and marched with Sherman to the sea. But a few more years and the last of this noble band will be laid to rest and the history of their deeds be but a sacred memory. But, while men are mortal, their deeds are immortal and will be forever cherished in the recollections of a grateful people. Since I have been a Member of Congress I have served on this committee, reporting this bill for passage. During that time we have reported the bill increasing the widows' pension from eight to twelve dollars and the McCumber bill, under which 362,384 soldiers are now pensioned. I have gladly supported these measures, and as long as I am a Member of Congress I expect to use my efforts to secure for these old soldiers the generous treatment and support they so richly deserve.

Mr. FITZGERALD. Mr. Speaker, I yield to the gentleman from Alabama [Mr. Hobson].

Mr. HOBSON. Mr. Speaker, I am opposed to this measure. In the two minutes allowed me it will be impossible to discuss

this measure in any detail. While I am in full sympathy with the principle of caring generously for soldiers and sailors who gave their service and offered their lives freely to their country in war, I believe that this bill is not based on sound policy. In a matter of such great importance and involving such large expenditures we should establish a sound and wise practice and grounded upon merit of service and the needs of the pensioner. There is no way in this measure to distinguish between a legitimate and proper case for a just pension and one that has no such merit. If tested by any pension policy of any civilized government in history, such a bill, ignoring the cardinal factors, merit and need, could never stand. We have already gone too far in our pension policy in confounding the deserving with the undeserving, and the stupendous expenditures for unworthy cases is coming to imperil the cause of the deserving. The time has come when our pension policy should be based on principle and administered upon sound business methods. Our present policy is tending to pauperize able-bodied men and restrict the funds available for really needy soldiers and their dependents. This bill does not fulfill the requirements of principle or of sound public policy, and in my judgment should not prevail.

Mr. CARY. Will the gentleman yield for a question?

Mr. HOBSON. I will yield to the gentleman.

Mr. CARY. I would like to ask the gentleman if he believes that this bill is not a cheaper way of getting a pension to the boys than by special acts.

Mr. HOBSON. I would say that I would rather take up legitimate cases in special bills than to get illegitimate cases in a general bill along with the legitimate cases. As a matter of fact, the passage of the last general bill of this nature did not reduce, but actually increased the number of demands for special bills.

Mr. KENDALL. Mr. Speaker, on April 12, 1909, I introduced into this House a bill allowing to every honorably discharged soldier who served 90 days or more in the Civil War a pension of a dollar a day for the remainder of his life. That measure was referred to the Committee on Invalid Pensions, where the proposition it embodies has been the subject of protracted consideration. In my judgment, the principle it establishes is the most equitable yet proposed, and I have abated no degree of earnestness in its advocacy. I have done whatsoever I might properly do as a Representative in Congress to create a public sentiment demanding more liberal legislation for the disabled veterans, and I am proud to believe that to the agitation in which we have been engaged may be attributed the measure which is now engaging the attention of the House. This bill grants \$15 per month at 62 years, \$20 per month at 65 years, \$25 per month at 70 years, and \$36 per month at 75 years.

I have become convinced that the measure which I have introduced can not be enacted into law at this session of Congress; the opposition to it is too powerful to be overthrown. I have determined therefore to support the pending bill as the best alternative that can be secured. It is a substantial improvement over existing law, and will afford needed relief to thousands of worthy soldiers who are denied additional benefits under the present statute. These men, young and vigorous when they enlisted, are old and broken now. They are entitled to the most generous consideration by their grateful Government. When the perpetuity of the Republic was imperiled, when the dissolution of the Union was threatened, when the permanence of free institutions was jeopardized, they listened only to the voice of patriotism and offered themselves a willing sacrifice upon the altar of their country. No imagination can describe the dangers which they confronted, nor the privations which they endured. Their achievements are unprecedented in the history of civilization, and the record of their valor offers an illustration of heroism unapproached in the annals of the world. To indulge in paraphrase, "Of all that is good, they are entitled to the best." I vote for this bill because I am apprehensive that if it is defeated no legislation whatever will be possible during the Sixty-first Congress.

Mr. PAYNE. Mr. Speaker, I have voted for every pension bill that came before the House for the last 26 years, and I voted for them cheerfully, from a sense of gratitude, which no man can measure, which the country feels toward those who saved the country in the sixties, but I do not propose to vote for this bill to-day. I do not see any excuse for bringing in a bill here with rates of pensions making such an inroad upon the revenues of the Government.

The estimate is for forty-five and one-half millions of dollars. We have never yet had an estimate that was not exceeded by a good many millions of dollars. This is an estimate which brings the total annual pensions to about \$200,000,000. The gentleman in charge of the bill speaks of the distressing cases that have come before his committee. I take it that they have relieved those distressing cases, but if they are not able to

reach them all, I point out to them, by enacting into general law the rules which they enforce when bills are brought before that committee, giving the administration of it to the Pension Bureau, they would relieve nearly all of those cases calling for a larger pension. It is a great increase over what is asked by the veterans themselves, who in their meeting at Atlantic City asked for a rate of pension much below this, that would not cost half the annual increase that this pension bill will cost if passed.

I can not justify myself in the discharge of my duty, under my oath of office, in voting for a bill that makes such a draft as this upon the Treasury at this time. It is brought up under suspension of the rules. There can be no amendment. If there were an amendment that could be offered, paying the rate asked for by the veterans themselves, I would vote for it. If some measure could be adopted here which would relieve those cases that come before the Committee on Pensions, I would cheerfully vote for that, but I can not vote for this bill.

Mr. Speaker, I shall take advantage of the leave I have to print briefly to elaborate and extend the remarks I made in the two minutes allotted to me under the rule that allows us only 25 minutes to present the objections to the bill carrying over \$45,000,000 per annum.

There was no necessity for bringing this bill up under suspension of the rules, because it had the same privilege as a revenue measure and could have been called up in the House at any time. The House could have discussed it until the previous question was ordered; amendments could have been offered, and the mistake in facts made in the debate by those who favored it could have been corrected on the floor of the House before the Members were called upon to vote.

We are told in this debate that the estimate of the Commissioner of Pensions at \$45,000,000 is too high, and that so much money can not be spent under this bill during the first year, because all the pensions can not be granted at once. But the bill provides that all pensions "shall commence from the date of the filing of the application in the Bureau of Pensions after the passage and approval of this act." Under this clause no claimant will wait, and all claims will be filed right away after the bill becomes a law, and the pension will begin to accrue at once. We have never yet had an estimate that was not exceeded by many millions of dollars by the actual payments under the law. The expenditures under this act are likely to be nearer \$60,000,000 than the \$45,000,000 estimated.

The astonishing statement was made in the debate:

Already this year, after we have paid the expenses of this great Republic from the revenue laws of the country in the first six months, we have \$30,000,000 surplus, and it is fair to say on the 1st day of July next that \$30,000,000 will be doubled to \$60,000,000.

On the contrary, the daily statement of the Treasury Department, dated January 9, 1911, reported a deficit for the fiscal year beginning July 1 last of \$6,528,616.04, without counting the further deficit of \$19,922,665.57 disbursements for the Panama Canal, making a total deficit of \$26,451,281.61. Here is a mistake amounting to more than fifty-six and one-half million dollars. If this bill is enacted, it will produce an enormous deficit.

A part of what President Taft said in his message on pensions was quoted in the debate as an argument for the passage of this bill. Here is what he said:

#### PENSIONS.

The uniform policy of the Government in the matter of granting pensions to those gallant and devoted men who fought to save the life of the Nation in the perilous days of the great Civil War has always been of the most liberal character. Those men are now rapidly passing away. The best obtainable official statistics show that they are dying at the rate of something over 3,000 a month, and, in view of their advancing years, this rate must inevitably, in proportion, rapidly increase. To the man who risked everything on the field of battle to save the Nation in the hour of its direst need we owe a debt which has not been and should not be computed in a begrudging or parsimonious spirit.

So much was quoted in the debate, but the following sentence was omitted. Here is the omitted sentence:

But while we should be actuated by this spirit to the soldier himself, care should be exercised not to go to absurd lengths or distribute the bounty of the Government to classes of persons who may, at this late day, from a mere mercenary motive, seek to obtain some legal relation with an old veteran now tottering on the brink of the grave.

The President added to what was also quoted the concluding sentence, as follows:

The true spirit of the pension laws is to be found in the noble sentiments expressed by Mr. Lincoln in his last inaugural address, wherein, in speaking of the Nation's duty to its soldiers when the struggle should be over, he said we should "care for him who shall have borne the battle, and for his widow and orphans."

When we get all the President said on this subject, no one will seriously contend that it is an argument in favor of the passage of the pending bill. It is a caution to Congress to exer-

cise great care in the consideration of a bill of the character under consideration.

The statement was made in debate that the bill recommended by the Grand Army would cost the Treasury more than the bill before the House. I get the terms of the Grand Army bill from a letter of Charles W. Allen, president, and N. K. Van Husen, secretary and treasurer, of the Nebraska pension committee, dated December 28, 1910, namely, \$15 per month to those veterans who have reached the age of 66, \$20 per month to those who have reached the age of 70, and \$25 per month to all over 75 years.

I have other letters confirming this proposition. In this bill the rates are \$15 per month to those who have reached the age of 62 years; 65 years, \$20 per month; 70 years, \$25 per month; 75 years or over, \$36 per month. The mere statement of the figures more than justifies my assertion that the Grand Army bill would not cost half as much as the bill under discussion. What excuse is there for granting double the amount asked by the veterans themselves?

I have met every argument that was urged in favor of the passage of this bill by the cold facts gathered from official sources. This bill was uncalled for. It did not receive the sanction of many veterans until after it was reported favorably to the House, and during the whole period I have received a letter from but one veteran in my district asking for its passage, while I have received many others protesting against it. The veteran who served for three and a half years protests against being placed on the same plane for service pension with the man who served only 90 days, and he has just cause for complaint.

There is no rule by which we can determine the degree of disability and helplessness of the veteran by the fact that he has passed the age of 75 years. It would have been far more just to have enacted into law, as I suggested, the rules adopted by the Pension Committees of the two Houses, under which they are reporting special bills, and give the Commissioner of Pensions authority to grant pensions in accordance with these rules. The affidavits which are now examined hastily by the committees, from the necessities of the case, would have had to undergo the scrutiny of the Pension Bureau, and the facts could be far more easily and accurately established.

I yield to no man in my anxiety to do honor and give comfort to the veterans of the war. No man has worked with more zeal to get their just rights before the Pension Bureau and the committees of Congress; but I can not vote for legislation wrong in principle, crude in its preparation, and subject to such just criticism as the measure before the House.

Mr. FITZGERALD. I yield to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, I shall vote against this motion to suspend the rules, and desire simply to give my reasons for it. In the first place it is an enormous drag upon the Treasury, and in the second place this bill is called up at this time with no opportunity to offer amendments, no opportunity to discuss it, no opportunity to dissect it at all. I will go as far as any man in this House, no matter whence he comes, in taking care of the soldiers of the Republic, but it is unjust, it is wrong, to place the soldiers of the Civil War and the Mexican War upon a basis not accorded to the few hundred old veterans of the Seminole Indian wars of Florida. Those people are entitled to as much credit, to as much governmental care and protection, as any other soldiers who have followed the flag of this country. For that reason I shall vote against the motion to suspend the rules.

The SPEAKER. The time of the gentleman has expired.

Mr. WEEKS. Mr. Speaker, while there is a difference of opinion as to the advisability of pension legislation, and the extent to which it should go, there is no doubt as to the proposition that the least justifiable of all pension legislation is a blanket bill which provides for all classes of service. That is the character of the bill now pending before the House. It is true that we have passed a service pension act. It did not get its initiative in Congress, however, but was the result of an Executive act, and the bill passed Congress very largely to satisfy the scruples of many who believed that the Executive act was not legal. In any case, it proposed to pay pensions to those who had served three months during the Civil War and who had reached a certain age, the pension to depend on the age. Now it is proposed to increase the amount of pension, with some variations, so that the total appropriation for pensions will be increased \$45,000,000. I fully approve of the methods which have been followed in the past, providing pensions for those who were injured during the war, or who, on account of the war, have lost their health, or who, during their old age, have met financial reverses, so that they are now in want. I approve of the payment of pensions to soldiers' widows who were the wives of such



soldiers during their war service; and quite likely there is justification in paying pensions up to the time provided in the law—that is, to June 30, 1890. I approve of paying pensions to the dependents of a soldier until they reach suitable age to provide for themselves, but there can be no justification in paying pensions to others than these classes. Men do not go into the volunteer service on account of the money they will get out of it, either during their service or afterwards. A man would be a pretty shabby kind of patriot who would enter the service for those reasons. They go into such a service as existed during our Civil War, first, because men like excitement and because they wished to be of service to their country; secondly, because they were paid a special bounty for entering the service.

I do not wish to criticize many men who received a bounty, because in numberless cases these men had others dependent on them, so that it was quite as much their duty to look after these dependents as to serve their country, and the bounty which they received enabled them to enter the service. I doubt, however, if 1 per cent of those who enter the volunteer service in time of war do so because of the pay which they receive or the emoluments which they will be likely to get under it, and while great stress is laid on the fact that these men were promised, when the volunteer force was raised in 1861, that they should receive care and protection, I do not find anything in the report which covers the consideration of that act which justifies one in believing anything else than that these men were to be treated like Regulars during their service, and that if they suffered on account of the service that as far as possible they should be provided for. Neither do I place any reliance in the frequently advanced statement that Army service puts men back so that they are unable to recover themselves and provide for their own futures. My own judgment is that military service, in the militia or elsewhere, makes a better equipped man than he otherwise would be, and I have no doubt that those young men who went into the Civil War and came out physically sound were as far ahead in the civil affairs of life five years after the close of the war as they would have been if they had not gone into the service at all.

Furthermore, there are thousands and tens of thousands of men who do not need this pension. It is not only our business to provide suitable provision for the soldiers of the war, but it is equally our business to see that the revenues raised by taxing the other ninety-one millions of this country are not mispent, and I submit to this House that if we raise \$45,000,000 and pay a large percentage of that to men who are perfectly competent to provide for themselves, who do not wish this money voted to them, but who would quite likely draw it if it is voted, we are misappropriating funds in a way for which there is no justification. It is frequently stated, and the impression is broadcast, that the soldiers of the Civil War have not, generally speaking, been able to make suitable provision for themselves. Every Member of this House will recall, when he thinks of the soldiers who live in his district, a large number who have made ample provision for themselves. I need not give any other instance than one which I saw in the Washington Post of yesterday morning, which described a picket post on the Rappahannock River soon after the battle of Fredericksburg and the personnel of the men stationed at that post. I think their pictures appeared in the paper, but in any case they included three of the greatest steel manufacturers this country has produced—William Jones, who was superintendent of the Edgar Thomson Steel Works at Braddock, Pa.; George M. Laughlin, head of the Jones & Laughlin Steel Works; Henry M. Curry, of the Carnegie Steel Works; and George Baer, now the president of the Reading Railroad, one of the leading railroad men of this country. Two of these men are no longer living, but any community can furnish illustrations of men of similar financial responsibility, and many of them of lesser but ample financial responsibility; and yet we are asked to tax the people to pay money to such men, without any regard to their need or their desire for it. To correct this, if I had the opportunity to do so, which, under the rules, I had not, I should offer this amendment:

*And provided further, That no part of the appropriation under this act shall be paid to any person whose annual income exceeds \$1,000.*

If this bill had provided that money should be paid only to those who demonstrated their inability to provide for themselves, either on account of sickness or for any other reason, I should be glad to advocate it, and I believe that I should be justified in so doing; but, while I am well aware that my action will quite likely be misconstrued, and that it will disappoint some men who would benefit by this act, I can not satisfy my conscience to take any other action; and, furthermore, I believe that when the public and the old soldiers themselves consider the reasons why the bill should not be passed, they will be in accord with those who vote against it rather than with

those who are willing to embarrass the Treasury for such a purpose. And I wish to call the attention of the House to the condition of the Treasury. If this bill passes and becomes a law it will be necessary to make an issue of bonds without delay to furnish the funds to reimburse the Treasury on account of this appropriation. Everyone who has been watching the Treasury balances knows that we are living from hand to mouth, and that, as far as possible, economies have been introduced into every part of Government service. What possible encouragement is there for Congress to hesitate about raising the pay of some individual who needs more pay, or appropriating a little more money to get better service in some direction, as is being done in all directions and by all committees having charge of appropriations in this House, and then turning in one act, after 40 minutes' deliberation, and voting \$45,000,000, one-half of which, it is safe to say, will go to men who have no possible claim on the Government, and no particular need for the money which they will receive?

Furthermore, the committee makes the statement in its report that it will quite likely lessen the work of the Pension Committee in considering special legislation, although the bill makes positive provision that it shall not preclude the introduction and consideration of special pension bills in future. I think I am in fairly close touch with the old soldiers of my district, and, as far as I know, substantially every meritorious case which I have submitted to the Pension Committee for special pension, up to this Congress, has been reported on favorably. If there are veterans in my district who are helpless, and who are not receiving more than the service pension provides, I have not been informed of their cases. In addition, there is no greater reason now for paying \$15 to a man who has reached the age of 62 than there was for paying him \$12 when the original service pension bill was passed, and I wish to call the attention of the House to the general statement made in the report of the committee, that it is necessary to provide for these old veterans who can not provide for themselves. Of course everybody knows that \$15 a month does not provide for a man who is unable to provide for himself. Neither does \$20 a month, or \$25 a month, or even \$30 a month. If we are really going to provide for these men, and it is necessary to do it, provision should be made to maintain them in a condition of decency rather than to give them the stipend which this bill provides. Much better would it be to make larger provision for the helpless and really needy, and no provision for those who have no claim on the Treasury. I can not believe that the men who defended and protected the Treasury in the Civil War days are going to join in raiding it now when it is in sore distress. When you substitute the almighty dollar for the flag, in an appeal for volunteers, you are Hessianizing patriotism—an unjustifiable and reprehensible act from every standpoint—degrading to the man who served during the Civil War, demoralizing to the man of to-day, and surely preventing the possibility in future of a ready and enthusiastic rallying to the country's defense if the country needs the service of coming generations.

Mr. GOULDEN. Mr. Speaker, in the limited time allowed for the discussion of this important legislation I will not attempt to discuss its merits.

I am heartily in favor of any legislation that will do justice to the men who successfully fought the Nation's battles, preserved the Union, and carried freedom to other peoples and countries under the flag.

As a member of the committee on legislation of the National Department, Grand Army of the Republic, I ask unanimous consent to insert in the Record as a part of my remarks the official General Orders, No. 4, issued by the commander in chief and adopted at the national encampment held in Atlantic City, N. J., in 1910, showing the position of the more than 300,000 members of that patriotic organization:

HEADQUARTERS GRAND ARMY OF THE REPUBLIC,  
Statehouse, Boston, Mass., November 30, 1910.

I. In order that all comrades may have authoritative and accurate information of the action of the last national encampment regarding pensions, the following is published:

The committee on pensions recommended in their report that the encampment "indorse the bill presented by the Hon. P. J. McCUMBER, granting a pension of \$12 a month to widows; also a bill to increase ratings of Army nurses on the lines of the McCumber age act." The committee also suggested "that the pension committee be appointed by the incoming commander in chief be charged with the consideration of a bill to increase the ratings of pensioners above 70 years of age and submit a report, with recommendations, to the executive committee of the council of administration for its action."

The report of this committee was referred to the committee on resolutions, who reported the following:

"Resolved, That our pension committee be, and they are hereby, requested to consider, and, if possible, to procure the passage of an amendment to the age act of 1907, so as to give a rating of \$12 at 62 years of age, \$15 at 66 years of age, \$20 at 70 years of age, and \$25 at 75 years of age, and where the pensioner, or soldier or sailor, is or becomes physically incapacitated for labor, he shall be placed on

the pension roll at \$30 a month, and we approve of the report of the committee on pensions, save as modified by this resolution."

One member of the committee on resolutions dissented, and moved the adoption of a resolve favoring "the enactment of a law giving to every honorably discharged Union soldier, or sailor during the late war a pension at the rate of a dollar a day."

After a full and spirited debate the proposed substitute was rejected and the committee's resolution adopted by an overwhelming majority. It will be observed that the points in which the report of the pension committee are modified are:

1. Advancing the age for increasing the rating from \$12 to \$15 a month to 66.

2. Specifying \$20 and \$25 per month at the ages of 70 and 75, respectively, as the increased ratings of pensions above 70 years of age.

3. Adding a special rate of \$30 per month for physical incapacity for labor, regardless of age.

The net result is that the National Encampment now stands for the following pension measures:

1. To increase the rate for soldiers and sailors under the act of 1907 from \$12 to \$15 a month at the age of 66 years, from \$15 to \$20 at the age of 70, and from \$20 to \$25 at 75, and to give a rating of \$30 per month, regardless of age, in case of physical incapacity for labor.

2. To extend the provisions of the widows' pension act so as to include all who at the time of the husband's death had maintained marital relations with him for three years. (Under the present law the widow must have married the soldier prior to July 27, 1890.)

3. To increase the ratings of Army nurses along the lines of the McCumber age act; that is to say, to make the nurse's pension the same as the soldier's, so far as age is concerned.

The pension committee will be instructed to prepare bills in accordance with the foregoing instructions, and present them to Congress at the coming session and use all proper means for their passage. In this work let us not offend wisdom and invite failure by divided counsel or effort. The national encampment having spoken clearly and with impressive emphasis, it is the duty of every comrade to unite in carrying out its will with "that solidarity which makes for success."

[Mr. SMALL addressed the House. See Appendix.]

Mr. FULLER. Mr. Speaker, I ask unanimous consent that the time be extended 10 minutes on each side.

The SPEAKER. Is there objection?

Mr. CLARK of Florida. Mr. Speaker, I object.

Mr. FITZGERALD. There are no other requests for time on this side, I will say to the gentleman from Illinois, and unless some other gentleman wishes to speak in opposition to the bill I shall close discussion on this side and the gentleman can use up such time as he intends with other speakers.

Mr. MADDEN. Mr. Speaker, when the Nation enacts legislation for the relief of the men who fought to save the Union, it honors itself while granting a simple measure of justice. To say the expense is great is but to beg the question. The question of expense should not enter into the consideration of the measure now before the House. The important thing to consider is, Does the Nation owe the surviving veterans anything? If so, what? It can not be denied that if the time is ever to come when justice is to be done to those who fought the battles for the preservation of the Union that time is here now. Those who now survive have reached an age which unfits them for active work. Most of them are unfit to perform manual labor—some on account of disease contracted in the service, some as the result of wounds received, and others by reason of advancing age—and all merit the kindest consideration at the hands of the Government for the valor and patriotism displayed in the time of the country's direst need.

The Nation owes these men a debt of gratitude which can not be measured in dollars and cents. It is through the patriotism of the veterans of the Civil War that we who are here to-day are able to enjoy the full measure of liberty to which we have attained. The readiness with which our citizens respond to the Nation's call in defense of the flag whenever needed makes the maintenance of a large standing army unnecessary, and the saving to the people on that account in times of peace is so great that we can afford to practice the utmost liberality in caring for those who come to the country's defense in time of need. It is to the credit of the American people that they do not forget the obligation due to these men. They are entitled to believe that their services will be appreciated, and I am proud to notice that the disposition of the House is to remember the obligation due them. We never can pay the debt we owe them; the most we can do is to grant a small measure of relief in the form of pensions which will, in a limited way, insure a living to those who are no longer able to provide for themselves. It is objected that this law will apply to wealthy men no less than to those who are poor. True, it does, but no law can be enacted which is not general in its character. Pensions are granted for service rendered, not as a matter of charity, but as a recognition of the obligation of the Government to the men who rendered the service. It would be unjust to say that because a man who served his country has grown rich he should not be recognized as worthy of the Nation's gratitude. If our citizens know they will be provided for in their declining years, they will be encouraged to offer themselves in defense of the flag whenever necessary. We should encourage them in the belief that it is upon their valor and patriotism the integrity

of the Nation depends, and that no man who comes to its defense will ever be forgotten. The veterans of the Civil War are rapidly passing away; they are dying at the rate of 3,000 a month. This ratio will continue to increase.

In 10 years more there will be but few of the 450,000 now living left to draw pensions. Most of them will, before the end of the next decade, be summoned to answer the last bugle call. It is fitting, therefore, that the Congress should at this time make liberal provision for the care and comfort of the men to whom we owe so much.

The country is great in territory, rich in resources, rich in material wealth, rich in the patriotism of its citizens, rich in its gratitude to its defenders, but above and beyond all it is rich in the sense of honor displayed in the payment of the obligation due to its defenders. It will give me pleasure to record my vote in favor of the pending bill increasing the pensions of the surviving veterans of the Civil War. I venture the hope that if the time ever comes when further legislation may be thought necessary to extend a more liberal measure of relief the Congress will be prompt to act.

In the meantime it is my earnest wish that those who come under the provisions of the present law may live long to enjoy the privileges it grants.

Mr. ASHBROOK. Mr. Speaker, I am glad to vote for this bill and to have the opportunity to give public expression upon a question in which I am so deeply interested.

It may not give evidence of high statesmanship, according to the gauge of some, when I say that I have devoted my energies and efforts during my membership here more assiduously to bringing needed relief to the veterans of our wars, their widows and orphans, than to any other proposition, but certainly none will deny that no more patriotic purpose could engage one's time and attention.

This bill, like every other bill of a general nature, may be, and I believe is, subject to some just criticism. It quite likely will not work out equitably and fairly in each and every instance, but it certainly will give more generous recognition to the men who preserved this great Union and made possible our wonderful growth, development, and prosperity of the past 40 years. For that reason, Mr. Speaker, I am for the bill, despite its faults and the great cost it incurs.

I regret that there should be a voice or vote against this bill, but I am glad that opposition, if there must be, comes so largely from distinguished gentlemen across the aisle, who while proclaiming friendship for the old soldier justify their opposition because they believe the Treasury can not now well permit an additional draft of \$45,000,000 or more, and because this bill, like all general acts, will apply to the rich and poor alike.

So far as the first objection raised is concerned, it can be as well used as an argument against each and every other appropriation here proposed, and in my opinion is not worthy of serious consideration.

The petitions for more generous pensions, which have been pouring in upon us, do not come from the pensioners alone. The people generally are as much interested and anxious that these old veterans, who are now tottering down the hill of life, should be well cared for in their fast declining days as are the beneficiaries themselves. I have been as often complimented for my interest in the old soldiers by those who have no direct or personal interest as by the soldiers or those related to them.

Every man, woman, and child who enjoys the freedom and opportunities over which floats the flag for which these old veterans fought is directly benefited by generous pensions. The pensioners are the disbursing agents only; the merchants and every channel of trade quickly reap the benefit of the stream of gold poured out to the four ends of our Nation every 90 days.

This can not be said of any other appropriation. I believe, if left to a popular vote of the people north, south, east, and west, there would be an overwhelming return in favor of this bill, or any other generous pension act. If our revenues will not permit it, the increased expense which this bill will create can easily be saved in reduction in many other less deserving purposes. How many of our constituents would favor the building of two or more battleships per annum while the old soldier and his dependent wife end their days in poverty and want? Not one in ten.

The distinguished gentleman from New York [Mr. PAYNE], the leader of the party soon to be in the minority here, believes that such extravagance is unwarranted, and strongly opposes the bill. While I commend him for his courage, and have no desire to speak unkindly, for he has already been grilled as but few men in public life, yet had he opposed as earnestly and forcibly the high-tariff schedules in the bill which bears his name on the common necessities of not only these old veterans but



of every other man, it would not have been necessary to ask for such substantial increases as are proposed and embodied in this bill.

The gentleman from Massachusetts [Mr. WEEKS] refers to a few soldiers who are members of the millionaires' club, and because this bill will give them a small increase in pension believes that he is justified in depriving at least 95 out of every 100 soldiers of that which they so richly deserve and sorely need. The gentleman says that if he had been permitted to offer an amendment providing "that no part of this appropriation shall be paid to any person whose annual income exceeds \$1,000," he might have supported the bill.

I agree that this amendment is a good one and would strengthen the bill. I sincerely regret that opportunity is not given for amendment and more time for debate, but because these things are denied in my opinion is poor excuse for any real friend of the old soldier to vote against this bill. I appealed to the author of the bill [Mr. SULLOWAY] to permit an amendment which I believe should be incorporated in this bill, but, for reasons I can not dispute are good, my request was denied. I should like to here read the proposed amendment, and believe that all will readily realize its merit and importance. The proposed amendment reads, to wit:

*And provided further, That if any person claiming title to pension under the provisions of this act shall certify under oath his inability to prove the date of his birth, the Commissioner of Pensions shall adjudicate the claim by accepting the age given by the soldier at the time of his enlistment in said service as the correct date of birth of said soldier.*

No, Mr. Speaker, nothing like failure to gratify a pet whim of mine could induce me to desert the old boys who are waiting so expectantly for us to come to their relief.

This bill does not possess the merit of service of the now famous dollar-a-day bill of my good friend and colleague, the gallant old Gen. SHERWOOD. For this reason the Sulloway bill will not be approved by a considerable number of the old veterans. It is not based on as meritorious foundation as the Sherwood bill, but some of our friends over yonder who have at last heard from home are now anxious to respond and hurry a bill through at this session. I am willing and glad to help them.

I believe, however, Mr. Speaker, that this bill is a direct outgrowth of the sentiment created by the old soldiers for the Sherwood bill, and while it has been very much mutilated, yet the old veterans wherever they may be will not fail to give their original dollar-a-day friend the great credit which is honestly and justly his due. Many Members on this side half hesitate to support this bill because, as they truthfully state, it has been brought about by political exigencies, and chide those of us who are more enthusiastic that the bill is now being urged for political redemption purposes.

It is true that heretofore it has been impossible to get a pension bill on the calendar of a general nature; why, I can not say. It may be that November 8, 1910, is still reverberating. But be that as it may, Mr. Speaker, I do not look upon this bill as a party measure. I congratulate you on your splendid defense on this floor of the Sulloway bill. You have this afternoon redeemed yourself mightily in my estimation, and I know that you regret that so many of your colleagues and the leaders on your side, as well as the few who have spoken in opposition on this side, are against the bill. As you say, "Many men of many minds," but the predominating sentiment is now, and I trust ever will be, generous recognition of those who offer their lives as a sacrifice for their country's defense.

I am proud that the last Democratic platform of my State indorsed the dollar-a-day bill and placed my party on record in favor of liberal pensions for the soldiers. That plank in the Ohio platform, in the Indiana Democratic platform, the activity of my colleagues on this side, and the chilling blasts of last November have aroused some of our good friends, if not all of them, across the way to embrace this opportunity to heed the call of not only the old veterans but the people generally.

If this bill does not pass at this session of Congress a similar bill will surely be passed by the next Congress. If the old comrades were not dying at the rate of more than 100 a day, if more than 40,000 would not be called to stack arms for final review before Congress meets again, I would not urge the passage of this bill at this time. It is not so much who gets the credit for this bill as who gets the benefit of it. I have faith that the Senate will pass the bill. I can not believe the reports printed in the newspapers that President Taft is opposed to the bill and will veto it. I commend the President for his efforts to keep down expenses. There should be more economy in every department and in every branch of our Government.

If the next Congress does not dispense with at least 25 per cent of the employees about this Capitol Building and inaugu-

rate systems of saving in the administration of our Federal affairs all over this land of ours, it will be entitled to and most surely will receive the same censure and criticism our Republican friends have had, and like them will cause our downfall.

The abolishment of 16 of the pension agencies, the permanent retirement of three-fourths of the pension examiners this bill will permit, the dismantling of much expensive and useless political machinery framed up to provide for "lame ducks" and to pay political debts, will wipe out much of the increased cost incurred by this bill.

No man or no nation ever lost money, honor, or credit by paying a just debt, and this is a just and honest debt long, long deferred.

Of the nearly half million survivors of the Mexican and Civil Wars the average age is about 70. Ten years from to-day there will be but a small handful remaining. The Commissioner of Pensions has informed the Committee on Invalid Pensions that there are 93,589 soldiers who will receive the increase from \$12 to \$15 allowed all who have reached the age of 62, 184,577 from \$12 to \$20 who are now 65, 101,778 who now receive \$15 will be entitled to \$25 for the age of 70, and 63,461 who are now 75 and past will have an increase from \$20 to \$36. These numbers will melt like snow in an August sun. Let us therefore, while we may, fly to the relief of this remnant of a once mighty and victorious army and help to make their declining days their best days. They gave to their country the best there was in them without hope or thought of future reward. We can best keep alive a love of country by generous care of those who responded to their country's call. I therefore hope the bill will pass and become a law.

Mr. HAMLIN. Mr. Speaker, I am going to vote for this bill. I am in favor of it, first, because I am a friend of the old soldier; and, second, because I believe they are entitled to this increase.

I confess that this bill does not entirely conform to my ideas. I would like to amend it so that it would apply only to the needy soldier, and not to those who already have a competency. But I recognize that the parliamentary status of this bill is such that no amendment can be offered, unless we first vote down the motion to suspend the rules and put this bill upon its passage, and this I am not willing to do now, for I feel certain if we do that it would mean that the bill could not possibly be reached on the calendar this session, but would die with the final adjournment of this Congress on the 4th of March next. Therefore I am going to vote to suspend the rules and pass the bill now in its present shape.

Objection has been raised by some gentlemen upon that side of the House that we ought not to pass this bill, for the reason that it will increase the pension appropriations about \$45,000,000 annually. I think, Mr. Speaker, this is hardly a fair statement of a fact. If all these old veterans who will be the beneficiaries under this law should live for a whole year from the date of the passage of this act, then the statement would probably not be very far wide of the mark. But we know that these old men—and we all know that no soldier can claim the benefit of this bill who has not at least reached the age of 62 years—are rapidly "crossing over the river and resting under the shade." The cruel, relentless, and ever-busy scythe of time is mowing them down at the rate of about 100 per day, which means that at the end of the first year, under this law, the names of about 36,000 of these valiant old veterans will be transferred from the pension rolls to those of the keeper of the "silent cities of the dead," and in the natural order of things their names will decrease from the pension rolls in an increasing ratio as the years go by, with the necessary result that the pension appropriation, under this law, will rapidly grow smaller.

But, Mr. Speaker, this is a cold and uncharitable way of looking at this matter. I do not like to consider it in this way. Can you measure in money the value of one drop of blood shed by these old veterans in defense of their country? Are you willing to try to say how much money an arm or a leg is worth? Are you willing to try to say how much money it is worth for a young man to be broken in health and be compelled to go through life an invalid, or what it would be worth to carry through life a wound to torment you continually and finally land you in the grave? Certainly you ought not to try to put this purely on a money basis. The debt which this Government owes to the old soldier can only be paid in gratitude, and that gratitude evidenced by a pension sufficiently large to make his declining years comfortable. Do not starve him to death. However, Mr. Speaker, if you are afraid that the appropriations may grow too large, let us cut down the innumerable unnecessary things for which we appropriate millions without any hesitation. The money which we appropriate

each year for the building of battleships will more than pay the excess appropriations necessary under this bill.

There seems to be little objection to appropriating millions each year under the pretense of being prepared for war when we are at peace with the world and this Government is in no danger from any source whatsoever. Do not you think we could cut off much of this unnecessary expense and take care of the men who saved this Government when it was in real danger?

It seems to me, Mr. Speaker, that the right way to look at this matter is that when the Government was in distress these old soldiers responded to the call of their country, went to the front, risked their lives, to save it. They did not stop to count the cost, and they did not stop to inquire what the Government would do for them afterwards. They did not stop to think whether they would live to look upon the faces of loved ones again, but they went to the front, did their duty, and to-day, as a result of that fact, we have the greatest, richest, and most powerful Government on the earth. Now, ought we to stop to count the cost when these old veterans are in need? I say no. The least we can do is to go to their rescue and try to make their last days on earth comfortable days by driving the wolf far away from their doors.

I hope this bill will pass.

Mr. DIXON of Indiana. Mr. Speaker, I ask unanimous consent that five days' additional time be granted to all Members to print remarks on this subject.

Mr. SIMS. Mr. Speaker, reserving the right to object, I want to make a slight explanation.

The SPEAKER. All this can happen—

A MEMBER. Regular order!

The SPEAKER. Regular order is demanded.

Mr. FITZGERALD. I will yield to the gentleman from Tennessee [Mr. Sims].

Mr. SIMS. Mr. Speaker, my objection to allowing Members five days to print remarks in the RECORD, whether they have made any or not, had two purposes. In the first place I think it is a bad practice, and in the second place Members can have an opportunity to speak on this bill and to offer amendments by voting down the motion to suspend the rules, as it will then have to be considered like any other bill making a public charge upon the Treasury, in the Committee of the Whole, so that every gentleman who desires to address the committee and who gets recognition can do so and offer amendments and have them considered. Now, for a bill that takes \$45,000,000 at the first dash out of the Public Treasury to be considered under suspension of the rules without any opportunity whatever to offer amendments is certainly bad legislation, is a bad way to legislate, even if the bill itself was of the greatest merit. Now, if gentlemen want to speak and want to give reasons to the country why they vote for or against this measure, why the way to do so is to vote down the motion to suspend the rules and then the bill will be considered in the ordinary way. But it has been suggested to me that some gentlemen would commit political suicide not to vote for the bill and they might commit suicide if they do and do not give their reasons in the RECORD why they so voted, and I do not want to be the occasion of forcing any man into that condition.

That is the reason why I made my objection before and the reason why I will not make it at the present time.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the time on each side be extended five minutes. Through misapprehension I gave away all the time at my disposal.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that the time for debate be extended five minutes on a side. Is there objection? [After a pause.] The Chair hears none. The gentleman from New York is entitled to six minutes and the gentleman from Illinois [Mr. FULLER] is entitled to 11 minutes.

Mr. FULLER. Mr. Speaker, I yield to the gentleman from New Hampshire [Mr. SULLOWAY].

Mr. SULLOWAY. Mr. Speaker, this bill was unanimously reported from the Committee on Invalid Pensions. I can state its provisions in no better way than by quoting to the House the report adopted by the committee when the bill was reported. This report is as follows:

This bill, if enacted into law, will grant to all persons who served 90 days or over in the Civil War, or 60 days or over in the Mexican War, and who have reached the age of 62 years, a pension of \$15 per month; this is \$3 per month more than is now allowed under the act of February 6, 1907; 65 years, \$20 per month; this is a new rating. Under the existing age act, there is no rating between the ages of 62 and 70 years, and your committee thinks this is unjust to the soldier, and that in his declining years, with a majority of the veterans partially or wholly unfit to perform manual labor, there should be an increase allowed at the age of 65 years, hence the recommendation of a new rate of \$20 per month; 70 years, \$25 per month; this is an increase of \$10 per month over the existing rates; 75 years of age, \$36 per month;

being an increase of \$16 per month over the amount now allowed under the maximum rate of the age act.

Congress in the last few years has become practically a pension bureau. With old age and its attendant infirmities creeping upon the survivors of both the Civil and Mexican Wars, there is not a Member of either branch of Congress who is not besieged with hundreds of the most deserving and pitiable cases where the beneficiary is pleading for relief by special act, there being no existing law to cover these distressing cases. The pension committees of Congress, working by night and by day, have been able to bring relief to a few thousand soldiers, yet in comparison with the thousands who are still knocking at its doors for help, it is but a drop in the bucket. In this Congress alone there has been referred to the two pension committees of the House of Representatives more than 20,000 bills for private pensions. Among this vast number are thousands of blind, paralyzed, bedridden, and pain-racked soldiers, with long and honorable records, whose cases can never be reached under the present system, and who will be obliged to pass their last days in misery and want.

Your committee feels that the time has come when there should be something done to relieve the pension committees of Congress from the tremendous amount of work that confronts them; that instead of taking up the few cases that the committees can possibly consider, all soldiers should be put upon an equal footing, and in their few remaining years equal justice should be meted out to all. The so-called McCumber Act of February 6, 1907, has proven a great blessing to the soldiers, but all must admit that it has not lessened the work of Congress in dealing with private pension cases. Your committee feels that the time has come when Congress should enact general legislation that will reduce private pension legislation to a minimum; that specific rates should be allowed sufficient to care for the soldier in his old age, so that his last days may be days of peace and contentment; that a law should be passed with the rates sufficiently equitable and just that there will not be a demand or need of any general legislation along these lines for many years to come.

If anything is to be done further in the line of legislation for the soldiers, it must come soon. The services they rendered can not be measured by dollars or cents, or by any pecuniary emolument, and the least this great Nation can do is to see that they are comfortably cared for in their few remaining years. With over 100 of them dying every 24 hours, or at the rate of over 3,000 a month, the ranks are fast becoming depleted. The average age of the soldier is now between 65 and 72 years. Of the 450,000 on the rolls under the age act, nearly 300,000 are estimated to be between the ages mentioned above. These men are practically beyond the years of manual labor, and thousands of them, as every Member knows by personal contact, are practically hopeless and helpless invalids. If the veterans are to be helped at all, they should be helped sufficiently so that they will not be obliged to appeal immediately to Congress for special legislation, in order that they may secure for themselves relief sufficient to purchase the absolute necessities of life. The country can afford to give this increase to the old veterans, as it has grown wealthy and powerful on account of the services they rendered.

According to the information furnished your committee by the Commissioner of Pensions, the estimated cost of carrying out the provisions of this proposed bill is as follows:

Ages.	Increase per month.	Number.	Annual increase.	Amount.
62 years.....	\$12 to \$15	93,589	\$36.00	\$3,369,204.00
65 years.....	12 to 20	184,577	96.00	17,719,392.00
70 years.....	15 to 25	101,778	120.00	12,213,350.00
75 years.....	20 to 36	63,461	192.00	12,187,512.00
Total.....				45,489,468.00

While these estimates add a large sum to the present pension appropriation, yet it is necessary to do this if we are to bring the pension of the soldier to a point where Congress will be relieved of a vast amount of special pension legislation, and if an amount is given to the veteran sufficient to properly care for him, even in the plainest way, in his old age. With these facts in view, the passage of the bill is therefore recommended.

In reply to the gentleman from New York [Mr. PAYNE] and his colleague [Mr. GOULDEN] and any others who may have any misapprehension about it, I desire to submit some facts about the pension resolution adopted by the Grand Army of the Republic at their recent encampment at Atlantic City. In order that there may be no mistake about this resolution I will read the same to the House. It reads:

*Resolved*, That our pension committee be, and they are hereby, requested to consider, and, if possible, to procure the passage of an amendment to the age act of 1907, so as to give a rating of \$12 at 62 years of age, \$15 at 66 years of age, \$20 at 70 years of age, and \$25 at 75 years of age, and where the pensioner, or soldier or sailor, is or becomes physically incapacitated for labor, he shall be placed on the pension roll at \$30 a month, and we approve of the report of the committee on pensions, save as modified by this resolution.

Now, I have made a careful examination into the cost of this proposition as asked for by the Grand Army, and I desire to state that if enacted into law it will cost the Government a much larger sum than the bill reported by the Committee on Invalid Pensions. The most conservative estimate of the Grand Army proposition, under the present policy of the Pension Bureau, would be at least \$65,000,000. The feature of the Grand Army resolution which seems to have been overlooked is that which reads as follows:

Where the pensioner, or soldier or sailor, is or becomes physically incapacitated for labor, he shall be placed on the pension roll at \$30 per month.

Now, under the policy of the Pension Bureau it holds that when a man has reached the age of 70 years he has reached the point where he is disqualified to perform manual labor.



According to figures submitted by the Commissioner of Pensions this would immediately place on the rolls at \$30 per month 165,239 who are now 70 years old and over. Of the 400,000 others on the rolls, there are more than 125,000 who would come under the provisions in regard to performing manual labor by making proof of their disabilities. This would bring the cost far beyond that of the bill before the House to-day.

The Commissioner of Pensions estimates that the cost of carrying out the age proposition alone of the Grand Army resolution would be \$15,000,000, without reference to the inability to perform labor, no estimate being made by him on this latter proposition.

There is another thing I would like to call attention to. There are a few gentlemen who are opposing this bill who are assuming that it will immediately take out of the Treasury \$45,000,000. This is either a misrepresentation or a misapprehension, and is wrong and misleading. To do this every man eligible on the roll July 30, 1910, would have to apply—there could be no deaths, and every case would have to be adjudicated in one fiscal year. The estimate made by the committee was on the basis of all soldiers on the roll who are eligible being pensioned during one fiscal year, and in this, figuring the death rate of over 3,000 a month since the closing of the fiscal year June 30, 1910, was not taken into consideration. Now, before this law can be enacted and a single case adjudicated there will be over 30,000 less soldiers on the roll by death alone than there were June 30, 1910. When the so-called McCumber Act was passed, according to information furnished by the Commissioner of Pensions, there were 400,000 applications filed during the first year of its operation. By the most heroic efforts of that bureau, in the adjudication of claims, they were able to dispose of 241,000, or only about 60 per cent of those filed, the first year. Taking that as a basis, the amount of appropriation called for by the bill the committee presents to-day would not take over \$27,000,000 during the first year of its operation, and probably not that amount, for the deaths that would occur between now and the end of the first fiscal year of its operation would amount to approximately 75,000 to 80,000. As a great per cent of these deaths naturally take place among the older soldiers, where the increase granted by your committee is the largest, it can readily be seen this would make a very material reduction in the estimated cost of this proposition. I think the estimate of \$27,000,000 for the fiscal year ending June 30, 1912, is more than ample to meet all demands that will be made on the Pension Bureau for that period, and that this sum will more than take care of the cases it will be able to adjudicate in the first 12 months.

There are a few gentlemen who have stated they think the committee has gone too far in this proposition. We men who have served for years on the Committee on Invalid Pensions have had a better chance to judge and view the situation a little more closely than the average Member. I do not think that there is a man on the committee but that feels, if anything is done at all, enough should be done to see that the old veteran in his few remaining years should be at least comfortably cared for. Your committee, working by night and by day, has taken care of a few thousand cases, but there are seven times as many equally deserving cases, which lack of time prevents considering, which will still be pending when this Congress expires on the 4th day of March next. At the best, we can only take care of a few here and there—perhaps a dozen or less in a great congressional district.

Nearly half a century has elapsed since that great and awful conflict closed. The soldiers are growing old, infirm, and helpless. The almost overwhelming majority of them are poor. Countless thousands of them gave up the best years of their lives and sacrificed their health upon their country's altar. The history of the United States shows that its citizen soldiery has always been its bulwark in its time of need, and it never failed to heartily respond when called upon. What has been paid in pensions we have saved by not maintaining an immense standing army. Men have gone forth to do and die, knowing and believing that those they left behind would be cared for if they did not come back, and those survivors, broken in health, suffering and poor, received the same assurances.

We are not here to-day to figure this matter as one of dollars and cents. I do not stand here and advocate the passage of this bill as a commercial proposition. I have taken some pains to figure out what the cost will be, but that feature pales into insignificance when I stop for a moment to realize what these veterans did and what they have made possible. It is to them we owe everything we have and enjoy. Had not their efforts been ultimately crowned with success no one on either side of this Chamber dares to predict what the outcome would have been.

We know to-day through their efforts that we have the greatest country on the face of the earth, with a wealth as great as any two other nations combined, with a united and a happy people, with no North, no South, no East, no West, but one country and one people. What we owe the old soldier can never be repaid by any pecuniary emolument. His services gave us the most hallowed pages of American history. We should endeavor to make our services to him just as noble. Let us rise above pecuniary sentiments; it has no more place here to-day than it had in the days of the Revolution or the days of the Civil War. They had their duty then, and we have ours now; it is to take care of those surviving heroes of our recent wars, and to see that they have the necessities of life in their few remaining years. Our Treasury is not empty, and we are imposing no burden on posterity.

This will probably be the last general pension legislation that will ever be asked for by the soldiers as a body should it become a law. It will be sufficient to bring them some of the comforts and cheer in their last days. The amount scattered among the great number of survivors is none too large. I favor this measure as a matter of justice and honor, and I feel sure it will receive the overwhelming indorsement of this House.

Mr. FULLER. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. LANGLEY].

[Mr. LANGLEY addressed the House. See Appendix.]

Mr. FULLER. Mr. Speaker, I yield to the gentleman from Ohio [Mr. ANDERSON].

[Mr. ANDERSON addressed the House. See Appendix.]

Mr. FULLER. Mr. Speaker, I yield to the gentleman from Michigan [Mr. GARDNER].

Mr. GARDNER of Michigan. Mr. Speaker, in advocating the passage of the bill now before the House I do not wish to be classed with those who think the Government has not hitherto been generous in the treatment of its veteran soldiers; to the contrary, I recognize that it has been liberal to a degree unequaled by any other nation. At the same time it may be said with truth that the magnitude of the army of volunteers that fought for the preservation of the Union, the circumstances under which that army was brought into existence, the length and character of service rendered, and the abiding and beneficent results achieved have no parallel.

Objection is made to the bill because under its provisions some will draw liberal pensions who do not deserve them. I concede that the allegation is true, and if it were possible to exclude the habitual skulker from battle, to eliminate those who by studied device endeavored to escape duty, and deny to those who, because of short terms or for other reasons, never rendered any appreciable service, every true soldier would readily assent. That there was a per cent of the whole in each and all of these classes no soldier of experience will deny, but efforts to successfully discriminate against them have thus far in large part failed, and each added year of removal from the war period but makes the task more difficult. On the other hand, it would be unjust, if not cruel, to make the worthy soldier, who did his duty faithfully, suffer because of the unworthy.

Again, it is alleged as an objection to the passage of the bill that under its provisions many will draw relatively large pensions who do not need them. It is hinted that even millionaires are among the pensioners. Sir, if by industry and frugality or by fortunate investments a veteran has succeeded since the war in accumulating a competency or even large wealth, that in and of itself should be no bar to his receiving from the Government that to which he is justly entitled for services rendered as a soldier. Otherwise a premium would be placed on idleness and improvidence. The pension roll should never be looked upon as a pauper roll nor the pensioners as a roll of paupers, but rather what it is in fact, a roll of honor for services rendered and certified to by authentic records in the archives of the Government. I know a millionaire soldier of excellent military record who so looked upon it and for that reason sought and received a pension, though he never used a dollar of it for his own personal benefit. I know a number of pensioners each of whom lost an arm or a leg in battle, and who would suffer no want if they never received any pension money; but who would say that they are not justly entitled to that which they receive?

Again, objection to the passage of the bill is made because there is no discrimination on account of length of service rendered. Under its provisions the man who served 90 days is put on an exact equality with the man who served four or more years. The law now on the statute books provides that

they who entered the service at the "eleventh hour" receive quite as much as those who "bore the heat and burden of the day." I grant that it does not seem right nor just to give to the man who went into the Army in 1861 and came out in 1865 no more than the man who entered in the spring of 1865 and served to the end of the war, receiving, as many did, a large bounty as an inducement, and in many cases never rendering any service of real value to the Government. On the other hand it may be said, with equal truth, that in the closing year of the war there were many men who saw more battle service and who took more risks of life or limb in six months, or even in 90 days, than thousands of men who enlisted earlier and served two years or even more. Here, again, it is impossible to sift out the men who are most deserving and recognize and pension them on their real merits, or to segregate the undeserving and withhold from them that to which they are not justly entitled.

It has been strongly intimated that this bill provides more liberal pensions than the needs of the veterans require. It would be easy, as the gentleman from Massachusetts suggested, to get together a picket post of millionaires from among the surviving veterans; it would be easy to assemble from among them a considerable number of rich men and a still larger number who are in no need of a pension; but when the subtractions have all been made it will still remain that the great mass of the veterans are men of moderate means and are dependent in their declining years, in part or wholly, upon the pension allowance. In this respect the Civil War soldiers are not different from the survivors of any previous war, after a corresponding period. The same claim was made for the Revolutionary soldiers with great force and effectiveness, for the soldiers of the War of 1812 and 1814, and of the Mexican War. Familiarity with actual conditions will convince any fair-minded man that the great mass of the soldiers of the Rebellion period are not getting more than they actually need.

Great as the aggregate now is, and augmented as it will be by this bill, I assert that it is not more than the service rendered and the results obtained justify. When we put over against the sum paid for pensions the hardships endured, the battles fought, the wounds received, the consequent suffering endured, the broken health from privations gone through, and the consequent wrecking of careers that might otherwise have been successful, it is difficult to estimate and still more difficult to pay the debt in dollars and cents. While large numbers survived the perils of battle, the list of the killed and wounded tells of the risks taken by those who passed through unhurt. So great is this risk that I say to you, with an abiding recollection of Shiloh, of Stone River, of Chickamauga, and Missionary Ridge, with my wife and children in mind, with the remnant of life and its possibilities still before me, I would not for mere hire go into one great battle and take the chances therein for a pile of gold as high as the Dome of this Capitol, and I doubt if any other man would who knows by experience the dangers in so doing to which he would be subjected. Yet for love of country, for the maintenance of the right, as the soldier is led to see the right, for the upholding of some great principle involved, the true soldier counts not his life dear unto himself, but again and again accepts the gage of battle until he conquers or dies in the attempt. This is just what many thousands of semidependent yet most worthy citizens among the surviving veterans did in the war that preserved us a nation.

It is claimed by some that the Government is not able to pay these large sums as pensions. When the Civil War opened the population of all the States in the Union was, in round numbers, 31,000,000. The assessed valuation of all property, real and personal, was then \$16,000,000,000. Now the population exceeds 90,000,000 and the wealth is estimated at \$125,000,000,000. The present income of the Government is equal to all current demands, with the prospect of a considerable surplus at the end of the fiscal year. If the sum estimated in the bill, or even that now carried upon the statute books, were to be a perpetual charge against the revenues, Members might well hesitate to impose it upon the Government. This bill, if it becomes a law, will undoubtedly carry pensions to the maximum figure of expense, but in the very course of nature it will be but temporary.

Already 75 out of every 100 men who made up the Federal Army during the Civil War are in their graves. Time and death are depleting the ranks of the survivors more rapidly than did battles and disease and prisons in the days of the war. What remains of that once mighty host is rapidly vanishing away. The places that know them now will soon know them no more forever. Great as the amount is, for the brief time that remains to them, the Government can afford to pay it to the men who redeemed and preserved it.

Fifty years ago the ill-omened prophets on both sides the seas proclaimed with one accord that the American Republic was "doomed;" that against the experiment of self-government, tried under the most favorable conditions, there must be written the word "failure;" even while the figure of him who had already passed from the cabin of the lowly poor to the Executive Mansion of a nation was slowly but surely ascending to the zenith of world-wide and enduring fame as the emancipator of a race and the perpetuator of a Nation there were those who declared that only under kings and queens born of the blood royal could government long endure. Those who prophesied thus and declared thus had not reckoned upon the patriotic spirit, the reserve power, and determined purpose of the common people of the Republic.

Fifty years ago Lincoln began calling upon the young men to volunteer for the defense of the Nation, and ceased not until more than 2,200,000 had responded, "Here am I; send me." During those perilous years every country schoolhouse, every public hall, and every church in the loyal portions of our country rang with patriotic songs and echoed fervent appeals to go forth and defend the Nation's life. Then there was no price the people were not willing to pay in treasure and in blood. It is written "All that a man hath will he give for his life," and yet even this supreme sacrifice the people counted not dear unto themselves while the Nation's life hung doubtful in the balance.

When, 50 years ago, the hilltops that girdle this city frowned with batteries of artillery and glistened with rifles and bayonets in the hands of brave men who were set to the task of defending the Capital, the Congress did not hesitate to pour out from the Treasury every dollar deemed necessary to keep the flag from being lowered into the hands of the enemy. Fifty years ago, when the battle line extended from the Atlantic a thousand miles to the westward, on either side of which were ranged the sons of a common country in the death grapple to settle great questions where Congresses and courts and Cabinets and Presidents had failed, when again and again the awful shock of battle filled the Nation with sorrow and the world with horror, when not only the hospitals and churches of Washington but even this legislative Chamber were filled with the wounded from the adjacent battlefields, the Congress did not then hesitate to exhaust the Nation's revenues nor mortgage the Nation's future nor pledge the Nation's sacred honor to save the Republic. Through all the war there were heard midst the lamentations for the dead praise for the heroic living and promises of beneficent care to those who should survive. The solemn pledge of the people to her volunteer soldiery was made by their then representatives in Congress. While unconsciously standing in the shadow of his impending death, Lincoln's last appeal to the Congress was to "care for him who shall have borne the battle and for his widow and his orphan." How well that pledge and that appeal have been heeded the records abundantly show. It is a record that will stir the Nation's pride and patriotism in the troublous times that may yet come.

Generous as the Government has hitherto been, may not the Congress commemorate the rounding out of the first full half century since the great struggle for national existence began by imitating the Congress that 50 years after the Revolution greatly liberalized the pensions of all the soldiers, officers and men, who fought under Warren and Washington and Lafayette from Bunker Hill to Yorktown?

[Mr. RUCKER of Missouri addressed the House. See Appendix.]

Mr. SULZER. Mr. Speaker, this bill should become a law. It grants to all persons who served 90 days or over in the Civil War, or 60 days or over in the Mexican War, and who have reached the age of 62 years, a pension of \$15 per month. This is \$3 per month more than now allowed under the act of February 6, 1907. At the age of 65 years, \$20 per month; this is a new rating. Under the existing age act there is no rating between the ages of 62 and 70 years, and many think this is unjust to the soldier, and that in his declining years, with a majority of the veterans partially or wholly unfit to perform manual labor, there should be an increase allowed at the age of 65 years; hence the new rate of \$20 per month. At the age of 70 years, \$25 per month; this is an increase of \$10 per month over the existing rates. At the age of 75 years, \$36 per month, being an increase of \$16 per month over the amount now allowed.

It is well known that Congress in the last few years has become practically a pension bureau. With old age and its attendant infirmities creeping upon the survivors of both the Civil and Mexican Wars, there is not a Member of either branch of Congress who is not besieged with hundreds of the most deserving and pitiable cases where the beneficiary is plead-



ing for relief by special act, there being no existing law to cover these distressing cases.

The pension committees of Congress, working night and day, have been able to bring relief to a few thousand soldiers, yet in comparison with the thousands who are still knocking at its doors for help, it is but a drop in the bucket. In this Congress alone there has been referred to the two pension committees of the House of Representatives more than 20,000 bills for private pensions. Among this vast number are thousands of blind, paralyzed, bedridden, and pain-racked soldiers, with long and honorable records, whose cases can never be reached under the present system, and who will be obliged to pass their last days in misery and want.

Under the circumstances I am convinced that the time has come when there should be something done to relieve the pension committees of Congress from the tremendous amount of work that confronts them; that instead of taking up the few cases that the committees can possibly consider, all soldiers should be put upon an equal footing, and in their few remaining years on earth equal justice should be meted out to all, and private pension legislation reduced to a minimum; that specific rates should be allowed sufficient to care for the soldier in his old age, so that his last days may be spent in peace and contentment; and that a law should be passed with the rates sufficiently equitable to make it unnecessary for further general legislation along these lines for years to come, if ever again.

The soldiers for the Union are rapidly passing away. In a few years they will all be gone to their everlasting reward. With over 100 of them dying every 24 hours, or at the rate of over 3,000 a month, the ranks are fast becoming depleted. The average age of the Union soldier is now between 65 and 72 years. Of the 450,000 on the rolls under the age act, nearly 300,000 are estimated to be between these ages. They are beyond the years of manual labor, and thousands of them, as every Member knows, are helpless invalids. If the veterans are to be helped at all, they should be helped now, so that they will not be obliged to appeal to Congress for special legislation in order that they may secure for themselves relief sufficient to purchase the necessities of life.

Mr. Speaker, let me say again what I have often said before, that I am now, ever have been, and always expect to be the friend of the men who saved our country in the greatest hour of its peril. We owe them a debt we can never pay. They are entitled to our everlasting gratitude, and gratitude is the fairest flower that sheds its perfume in the human heart. Let us be grateful lest we forget. My sympathy will always be with the heroic men who went to the front in the greatest crisis in all our marvelous history.

This is a just bill. I want to do justice to the soldiers who saved the Union, and I want to reward them while they live. Nobody here can ever say, and nobody outside of these halls will ever be able to say, that during the 16 years I have been a Member of this House I ever voted against a just bill in the interests of the soldiers and sailors who saved the Union. This is a rich country; this is the land of liberty; this is the grand Republic; and it is all so, to a large extent, on account of what the gallant men who marched from the North did in the great struggle for the Union.

There is no gift in the Republic too great for the men who saved the Republic. We should be grateful to the brave soldiers who fought that great war to a successful end. I can not bring my ideas in favor of this bill down to the level of mere dollars and cents. I place my vote for it on higher ground. I want this bill to pass for patriotism—the noblest sentiment that animates the soul of man.

Mr. CLINE. Mr. Speaker, I desire to discuss, very briefly, the provisions of the pending bill. The bill is not here in response to the petitions of veterans of the Civil War; it is a danger signal hoisted by a few leaders of the Republican Party, that six months ago were violently opposed to any sort of general pension legislation. The bill comes as a complete surprise to the membership of the House. The Republican gentlemen who do things got a jolt in the November election, and by it learned that the old soldiers refused to continue to be a permanent asset of the Republican Party, regardless of the treatment he received and so expressed himself at the polls, especially in Ohio, Indiana, and Illinois.

I said the bill is not here at the instance of the Grand Army of the Republic, because no post or soldier organization has appealed to Congress for a law expressed in the terms written in this bill. No post or soldier organization has asked for a bill providing a rate of \$36 per month for soldiers at 75 years of age, nor for a rate of \$20 per month at 65 years of age. The \$36 rate per month is deceptive, because it is assumed the soldier will be contented with \$25 a month at 70 years of age in-

stead of \$30 at 70 years of age—the amount he has been asking for, hoping that he may reach 75 years of age and enjoy the extreme rate of \$36 per month.

Very few soldiers who went into the service at the beginning of the war will be benefited by the \$36 rate. Those who will have the benefit of this higher rate are largely the soldiers who enlisted at the close of the war and who have the advantage of about four years in age over the early volunteer. The roll of men who will be entitled to the \$36 rate will diminish much more rapidly than the 70-year class, so that by postponing the \$36 rate to such an advanced age and cutting the 70-year rate to \$25 per month, the Government will economize on its pension funds. A pension law should come as an expression of real patriotism, shorn of every selfish motive, and burdened only with a desire to give the soldier who risked all to save his country in time of its utmost peril that to which a grateful people believe him entitled to. This bill was not introduced because of sound patriotic devotion to the soldiers' interest, but as a mere party expediency to save it from defeat in 1912. This same party knowing that the veterans had been knocking at the door of Congress for years, with the dollar-a-day bill, and had received no response, after the rebuke administered to that party in the November election for its total disregard of its appeal, suddenly "warmed up" with patriotism for the veteran of 1861-1865.

I support this bill because it is the best that can now be passed. If I were permitted to amend the bill, I would cut out both the \$15 per month rate for 65 years of age and the \$36 per month rate at 75 years of age and make a rate of \$25 per month at 65 years of age and \$30 per month at the age of 70. I believe it would cost less money and be more beneficial to the soldier class as a whole. Objection is made to the bill because it will be a heavy drain on the National Treasury. When the great war of 1861-1865 broke out, that threatened the disruption of the Government, the Congress of the United States voted money by the hundreds of millions to suppress rebellion, with no thought of whether it was a drain on the Treasury or not. The volunteer soldier of the United States came by hundreds of thousands at the country's call without questioning whether they could afford to enlist or whether it was a good business proposition. All these considerations were lost in that abundant patriotism that like a rising tide swept into the Army more than two and a half millions of men. Their sole and only thought was, not the cost of the war, but the preservation of the Republic—not a depleted Treasury, but a united people.

Now, after nearly 50 years, when the Nation has grown from 15 billions of property to over 125 billions of property; from a small inland commerce to one greater than all the inland commerce of all Europe combined, we halt and hesitate and inquire for the cost of pensioning the scattered remnants of the legions who fought the greatest civil war in history; with less than 500,000 representing between two and three millions, who cast their lives and fortunes into the Nation's crucible of war and these answering the last call at the rate of more than 50,000 a year.

Why should this country, so abundant in resources, so rich in all that makes a nation great, hesitate to make the veteran who laid the foundation for this greatness comfortable in his declining days? I vote for this bill to relieve the veterans of the embarrassment of coming to Congress for special relief, and from the humiliation he must undergo in making such application. I vote for it because I do not want the hundreds and thousands of old soldiers, some blind, some paralytic, some so decrepit, both physically and mentally, as to require the assistance of another person, to come empty handed to a great government asking for charity. I vote for the bill because the policy of this Government always has been, and I hope always will be, to rely upon the voluntary soldier for its protection and not upon a great standing army that continuously eats out the substance of the people; because I believe a grateful Republic will always discharge its highest duty in caring for its aged volunteer soldiery if it becomes poor and needy, and for his widows and orphans; because I want to teach the youth of this country the lesson of grateful appreciation, the lesson of highest devotion, of richest patriotism.

Mr. FITZGERALD. I yield to the gentleman from New Jersey.

Mr. HUGHES of New Jersey. Mr. Speaker, I hope I can say that I have always been friendly to the men who fought the great battles of the Republic; and while I am not in the habit of saying much about my own military record, because there was nothing particularly distinguished about it, except that during the Spanish-American War I consumed as much bad beef as any other man in the American forces, still, I was a soldier once myself, and will go as far as any man ought to go

in the matter of appropriating money for this purpose. Yet I want to say this, here and now, though I realize the effect of my vote upon this question, that \$50,000,000 a year is too big a price for the country to pay to bring me back to Congress. [Laughter and applause.]

Mr. FITZGERALD. Mr. Speaker, I intend to consume all the remainder of the time on this side. Has the gentleman from Illinois any more than one speaker?

Mr. FULLER. I yield to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Speaker, gentlemen oppose the passage of this bill because it will increase the annual appropriation for pensions some millions of dollars. When the life of the Republic was in danger and needed soldiers to save it, the men who made up the greatest volunteer army in the world's history did not count the cost. They sacrificed all the sacred relationships of home—mother, wife, sister, and sweetheart—they gave up all private business, and left the farm, the shop, the factory, the business house; they abandoned schools, colleges, and professions; they gave health and limb and life; they saved our country, at all this cost to them. Let it not be said of us to-day that we count the cost of their comfort in their old age to the country they served so well. [Applause.]

Mr. FULLER. I yield to the gentleman from Wisconsin.

Mr. CARY. Mr. Speaker, this is the time for all of us who would give to the old soldier all that he needs when he is needy and deserving. We should give it to him. Therefore, I shall vote for this bill because I think it is in the right direction. I favor the dollar-a-day bill perhaps a little more than I do this one. And I believe we will have fewer special pension bills, and it will be cheaper to the Government in the end by the passage of this bill.

It appears to me that it is now high time that we do something for the old soldier. Very few of us can really appreciate what he has done for the Nation—when the crisis of antagonism for many years came to a climax in the great Civil War—how he, pervaded with the American spirit of freedom, volunteered to go forth on the battle field to offer his life to the country; not alone his life, but the happiness of his dearest ones and his friends, should his life be sacrificed. If we could but take ourselves back into the days of 1861 to 1865 and picture the scenes of hardship, the horrors of bloody conflict, and the terrible sacrifices of his wife and family at home when he was on the field of battle fighting to preserve the Nation! Think of the number who never returned to their respective domiciles; think of those who for months lingered between life and death in the hundreds of hospitals throughout the land; think of the many who were brought back maimed and crippled for life through the loss of a leg or an arm; think of those whose physique could not withstand the trials of the war and who returned unfit for any occupation, due to the ravages of disease; think of those who suffered the torture of imprisonment in Libby and other prisons. We, who were not present to know of the conditions, can not comprehend them. Thousands of accounts have been written which interest us, describing the incidents of the war, but even these vivid descriptions can not make an impression on us such as would actual participation in the conflict. So, I say, let us give the old boys their just dues for their services.

Let us see what Congress has done for the old soldier. First we had what is known as the "general law." This provided for the payment of a pension to an enlisted soldier, regardless of the length of his service, but only for wounds, disabilities, or diseases incurred in the line of duty.

The Pension Bureau has adopted certain rules by which it is guided in weighing the evidence and determining the merits of these claims. This law was undoubtedly adequate for a while. But in construing the section that the alleged wounds, disabilities, or diseases were incurred in the line of duty, the Pension Bureau is very strict, and conclusive evidence is required. The decisions are based largely on the medical records of the War Department. So if a claimant did not have a medical record, he was obliged to go to a great deal of trouble and expense in securing evidence from his comrades as to the incurrence of his alleged injury or disease. Often his comrades, with whom he associated intimately, were killed, had died, or removed to another locality. In many such cases he was denied relief, because he could not get the required proof. It is conceded that the Army medical records of the Civil War were not complete. Many were destroyed in battle, lost, or stolen. So an enlisted man was often denied his just dues. Similarly, many of the soldiers upon returning home associated again with their families, who were of the middle or better class, and they did not then need a pension, although they were entitled to it under the law. So they did not prosecute their claim at once, and in the course of years, when their financial condition possibly may

have grown worse or their physical condition was impaired from the service in the Army to such an extent as to render them unfit for manual labor, then when they did attempt to get a pension under the general law they could not prove their claim at such a late date, and their claims were consequently rejected. While this general law was very liberal in one sense—that seriously injured or disabled men received liberal amounts and was granted pension according to the degree of their disabilities—yet in another sense, before many years, it was seen that it was not adequate to meet the demands, because so many who were entitled to a pension had been deprived of it either by misfortune of not knowing the law, or neglecting to enter their claim immediately, or being unable to prove it sufficiently.

The act of June 27, 1890, was the next act of primary importance passed by Congress, which was done to meet some of these conditions which I have just stated. It provided that a soldier who has served at least 90 days, and who shall have any disabilities, diseases, or wounds of a ratable degree, shall be pensioned according to the degree of his disabilities, diseases, or wounds, the maximum rate being \$12 per month. This immediately was a great relief to thousands and thousands of soldiers who sought its benefits. Many are to-day pensioners under it, because it eliminated the necessity of proving that the disabilities were of service origin—that almost insurmountable difficulty under the general law where a claim had been neglected.

This act sufficed for some time, but now it became apparent that death was thinning the ranks of the old boys. Many of them were growing feeble, and on account of their age ought to have received more than \$12, to which they were entitled under the act of June 27, 1890.

So Congress passed the act of February 6, 1907, which was met with great favor. It granted \$12 per month at the age of 62 years, \$15 per month at 70 years, and \$20 per month when the age of 75 had been attained.

Other bills were passed besides the ones mentioned already, granting relief to widows and orphans.

Now, after a lapse of almost four years, during which a marked decrease in the number of old soldiers has been more apparent than ever, it behooves us that we consider this matter, which is not one so much of dollars and cents as it is of justice to those who made it possible to have the great country we have to-day. Let us look at the bill we have before us. It provides that any soldier of the Mexican or Civil War who has served 90 days or more, who shall have reached the age of 62 years, shall receive \$15 per month; 65 years, \$20 per month; 70 years, \$25 per month; 75 years and over, \$36 per month.

The old soldiers are crying for additional relief. While I think that probably the dollar-a-day bill would meet with more favor among them, yet I believe that this is a stride toward further relief for the old boys, and should be passed at this time. The Northwestern Branch of the National Home for Disabled Volunteer Soldiers is located in my district, and has 2,200 members. I can safely say that I have 3,500 old soldiers in my constituency. I have handled many of their claims before the Pension Bureau, and receive on the average no less than 10 cases every day for attention. Not that I feel in the least that I do not wish to be burdened with these matters, but with the feeling that additional relief is necessary, am I giving this measure my support. I have spent many hours in the soldiers' homes talking to the old boys, and helping them in their claims, because many being hopelessly disabled, are not able to provide for themselves sufficiently out of their meager pension for "extras" they need, and out of the balance, for there usually is none, to provide for getting the proper evidence necessary. In some exceptionally worthy cases I have succeeded in having Congress pass a special act, and I have always assured the old boys that I, as an American citizen, would be loyal to them when they needed a friend in Washington, and I believe that the people of my district are unanimously in accord with these sentiments, that we should pay these soldiers a slight remuneration now when they are old and needy, for the great service and the brave work they rendered for our country's sake.

Mr. FULLER. I have only one more speech.

Mr. FITZGERALD. Mr. Speaker, this country has been generous to the old soldier. It has spent \$3,400,000,000 in pensions, and that does not include the sums spent for various other purposes for their relief. I favor liberal treatment of the old soldier, but I do not favor such liberal treatment at the expense of the people of the United States as will result in injustice, and I shall not therefore vote for a bill which proposes to expend annually the amount proposed here regardless of the merits of those who are to be the beneficiaries.

The gentleman from New Hampshire [Mr. SULLOWAY] says that this bill will not add \$45,000,000 annually to the burdens



on the people; but, Mr. Speaker, that is the statement contained in the report from the committee over which the gentleman presides, and presented to this House for its information.

Just fresh from an election at which the people have revolted at the increasing burdens of the Government and the excessive cost of living, the reply of this House is not measures tending to relieve from some of the burdens of government, but to add to them by an indiscriminate distribution of \$45,000,000 annually.

Mr. Speaker, in 1908, 31 per cent of the revenues of the Government were expended in pensions and for national cemeteries, soldiers' homes, and other beneficial aids to the old soldier. The time has arrived, in my opinion, when the men of the South are no longer justified in sitting silent when legislation of this character is pressed before the House, because of a patriotic desire not to appear as sectional or biased against Union soldiers, lest their motives be misjudged, and thus not interfere with legislation of this character, but to express their honest opinion of such legislation. Men speak of generosity to the old soldier. I speak for them. I shall favor any fair, just bill which will give relief to the men who are helpless, the men who are incompetent, the men who rendered effective service to the Government and who are in distress or need; but I will not vote for bills distributing money indiscriminately upon the deserving and the undeserving.

It is not three years, Mr. Speaker, since I visited the Pension Office, when one of the higher officials of that office pointed with pride to a certificate of pension hanging upon the walls of the office, which secured a pension to his father. His father had but recently died and left an estate valued at more than \$2,000,000, and if he were living to-day the action of this House would be to increase the pension which he would now be receiving. I not only saw that certificate hanging on the wall, but this very official himself, under the plea that it would make his military record secure, was also a pensioner.

What a farce is legislation which permits such a condition. How long shall we permit it to continue? How long will men here vote for bills of this character without opportunity for discussion, without opportunity for amendment? This bill under the rules is privileged and could have been called up any day, considered in the Committee of the Whole House on the state of the Union, and Members given an opportunity to present amendments which would do justice to the deserving and which would eliminate all possibility of abuse.

I should prefer, Mr. Speaker, to spend my remaining days not only in private life, but in humble retirement, rather than to vote for such a bill as this in the hope that it might make easier my path in public life; and I hope this House will have the good sense to resist this attempt to coerce it by pleas of generosity, by fervid appeals in behalf of the men who have rendered heroic service, and who have been treated fairly and generously by the people.

This plea may not fall upon the ears of those who are willing to heed it, but I believe that a day of reckoning will come when the people will insist that, not for the benefit of special classes, but with an eye to the welfare of the entire people, shall legislation in this House be enacted. [Applause.]

[Mr. OLMSTED at this point took the chair as Speaker pro tempore.]

Mr. FULLER. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. CANNON]. [Applause.]

Mr. CANNON. Mr. Speaker, my vote upon this bill will be cast, not from the standpoint of personal popularity, but from the standpoint of a wise policy and of simple justice. [Applause.] You can not have your cake and eat it, too. The law authorizes 100,000 men in the Regular Army. We have 80,000, and there is no power in my judgment that could make Congress increase that Regular Army by 20,000 more. Yet we have 90,000,000 of people. It has always been the policy of this Government to rely upon the great citizenship of the country for the public defense. It is not a cheap service. In that great struggle, the like of which the world never saw before, at least not in any civilized country, there were 2,200,000 men in the Union Army, or, counting reenlistments, 2,800,000. It was a fierce struggle. Along the borderland and in the southland it was said that they took from the cradle and the grave, the men of the South fighting valiantly, mistaken as they were, for what they conceived to be their rights. Oh, it is easy, as these men go under the ground and a new generation comes, especially in our great cities where there is a large population, by far the greater number of whom had no personal experience with that war, and where the voice of the Union soldier is not apt to be heard—it is easy to talk about the great cost of pensions. Yes; it is a great cost; but that great struggle, thank God, put all just contention between the North and South at rest, and you as well as we thank God at the great result. [Applause.] Since that great contest the wealth of the United States has increased

from \$16,000,000,000 when Lincoln took the oath of office, after we have borne all expenditures, to \$125,000,000,000. I do not believe that the Representatives of the great citizenship of this country, North or South, will be criticized or can be justly criticized for this legislation. Let me read you an extract from President Taft's annual message:

The uniform policy of the Government in the matter of granting pensions to those gallant and devoted men who fought to save the life of the Nation in the perilous days of the great Civil War has always been of the most liberal character. Those men are now rapidly passing away. The best obtainable official statistics show that they are dying at the rate of something over 3,000 a month, and, in view of their advancing years, this rate must inevitably, in proportion, rapidly increase. To the man who risked everything on the field of battle to save the Nation in the hour of its direst need we owe a debt which has not been and should not be computed in a begrudging or parsimonious spirit. \* \* \* The true spirit of the pension laws is to be found in the noble sentiments expressed by Mr. Lincoln in his last inaugural address, wherein, in speaking of the Nation's duty to its soldiers when the struggle should be over, he said we should "care for him who shall have borne the battle and for his widow and orphans."

[Applause.]

Four hundred and fifty thousand of this twenty-two hundred thousand still live, old—from 62 up to 100—most of them decrepit. Oh, yes; somebody in the United States Steel Corporation that has got ten millions or twenty millions would be a beneficiary. I know not whether such would take the pension or not, but the same argument would keep an officer of the Regular Army off the retired list. [Applause.] We do not measure the merits of legislation in that way. Legislation must be general, and in the affairs of this world it is impossible to enact any legislation that will not have an exception when you come to enforce it. You never would enact a law or make an appropriation of any kind if the argument of my friend and colleague the Representative from Massachusetts was to be forceful. [Applause.]

Already this year, after we have paid the expenses of this great Republic from the revenue laws of this country in the first six months, we have \$30,000,000 surplus, and it is fair to say that on the 1st day of July next that \$30,000,000 will be doubled to \$60,000,000. I quite agree with the statement of the gentleman from New Hampshire, the chairman of the Committee on Invalid Pensions [Mr. SULLOWAY], that the calculation of the cost of this legislation is entirely too high; that it is on the largest possible basis; that if every man would be a beneficiary under it and every man would live to the end of the coming fiscal year, 12 months from now, it would be \$45,000,000. But cases can not be disposed of so as to give the maximum, and 36,000 men will have crossed over to answer to the great roll call on the other side, and that of itself would be \$3,600,000 to be deducted, in round numbers.

I shall vote for this bill. [Applause.] Many men of many minds. I vote for it because I come from that Middle West, a small city where people know each other, the home of the Union soldier, the home of the citizen soldier; the patriotism which prompts men to respond to the call for service of a great Republic is there most abounding.

In the great centers of population you would have difficulty in finding many people that know about the services of these men from recollection or from history. We are able to pay this amount.

I say, in conclusion, from the standpoint of justice, aye, more, from the standpoint of patriotism, aye, more, from the selfish standpoint that in other great emergencies the citizen soldier shall be assured that when he is stricken by disease, weakened by age, hobbling along, he shall be remembered by the Government that would have died if it had not been for his and their services. [Applause.] I say it is a wise policy even from the selfish standpoint. [Applause.]

Mr. CULLOP. Mr. Speaker, I desire to make a motion in reference to this bill.

The SPEAKER pro tempore. A motion is not in order. This is a motion to suspend the rules and pass the bill, and therefore no motion is in order.

Mr. WEEKS. Mr. Speaker, I ask unanimous consent to offer an amendment.

Mr. FULLER. I object; regular order.

The SPEAKER pro tempore. The regular order is demanded and objection is heard. The question is on suspending the rules and passing the bill.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 212, noes 62.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

#### EXTENDING REMARKS.

Mr. FULLER. Mr. Speaker, I now ask unanimous consent that every Member may have leave to extend remarks upon this bill in the RECORD for five legislative days.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that Members may have five legislative days to extend remarks in the RECORD upon the bill just passed. Is there objection?

There was no objection.

#### MARINE SCHOOLS.

Mr. BENNET of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 24145) for the establishment of marine schools, and for other purposes, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Navy, to promote nautical education, is hereby authorized and empowered to furnish, upon the application in writing of the governor of a State, a suitable vessel of the Navy, with all her apparel, charts, books, and instruments of navigation, provided the same can be spared without detriment to the naval service, to be used for the benefit of any nautical school, or school or college having a nautical branch, established at each of the following ports of the United States: Boston, Philadelphia, New York, Seattle, and San Francisco, upon the condition that there shall be maintained at such port a school or branch of a school for the instruction of youths in navigation, steamship-marine engineering, and all matters pertaining to the proper construction, equipment, and sailing of vessels or any particular branch thereof.

SEC. 2. That a sum not exceeding the amount annually appropriated by any State or municipality for the purpose of maintaining such a marine school or schools or the nautical branch thereof is hereby authorized to be appropriated for the purpose of aiding in the maintenance and support of such school or schools.

SEC. 3. That the President of the United States is hereby authorized, when in his opinion the same can be done without detriment to the public service, to detail proper officers of the Navy as superintendents of or instructors in such schools: *Provided*, That if any such school shall be discontinued, or the good of the naval service shall require, such vessel shall be immediately restored to the Secretary of the Navy and the officers so detailed recalled: *And provided further*, That no person shall be sentenced to or received at such schools as a punishment or commutation of punishment for crime.

SEC. 4. That all laws and parts of laws in conflict herewith are hereby repealed.

The SPEAKER. Is a second demanded?

Mr. MANN. Mr. Speaker, I demand a second.

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none. The gentleman from New York is entitled to 20 minutes and the gentleman from Illinois to 20 minutes.

Mr. BENNET of New York. Mr. Speaker, this bill extends to some extent the existing law in relation to marine schools. At present the Secretary of the Navy is authorized to furnish any State a suitable vessel, with all her apparel, charts, and so forth, for a nautical school, and he is also authorized, when he does not deem it a detriment to the public service, to detail proper officers of the Navy as superintendents of or instructors in said schools. This bill goes one step further, and provides that where a State or municipality for the purpose of maintaining such a marine school appropriates money the appropriation by this Congress is authorized, not made, of a sum not exceeding the sum annually appropriated by such State or municipality. The existing condition of these schools is this: There are two, one in New York and one at Philadelphia. Those schools are maintained by the respective municipalities. In them are trained many young men.

Mr. GOULDEN. Mr. Speaker, I would like to suggest that there is one also at Boston.

Mr. BENNET of New York. And at Boston. I thank my colleague for the correction. New York, Philadelphia, and Boston. In them are trained the young men for the merchant marine, and not only for the merchant marine, but the executive officers of most of the auxiliary vessels of the United States graduate from these schools. This bill authorizes additional schools at Seattle and San Francisco if those municipalities are willing to pay an amount necessary for their maintenance and take a chance that the Government will appropriate something for their support.

Mr. STAFFORD. As I understood the gentleman, he stated that the places where these auxiliary schools are now in existence are Philadelphia, New York, and Boston.

Mr. BENNET of New York. Yes.

Mr. STAFFORD. They are the only places where these schools are established?

Mr. BENNET of New York. Yes.

Mr. STAFFORD. I would like to direct the gentleman's attention to the naval auxiliary that is maintained on the Great Lakes and ask whether that auxiliary which has the present support of various States, principally Illinois, Minnesota, and Michigan, and, I believe, Ohio—whether those States likewise would not be beneficiaries under this act.

Mr. BENNET of New York. I would say to the gentleman if he desires to have them benefited by the provisions of this general act, I would be glad when this bill passes to have them added in the Senate. I am not familiar with those schools.

Mr. STAFFORD. They are not schools. They are a part of the naval militia of the States.

Mr. BENNET of New York. Those bodies now receive national aid.

Mr. STAFFORD. That is what I understood. This bill does not apply to them?

Mr. BENNET of New York. No.

Mr. STAFFORD. Simply to those who maintain a naval auxiliary?

Mr. BENNET of New York. Exactly. Our school in New York is educating quite a number of young men every year.

Mr. COOPER of Wisconsin. Does this conflict at all with the naval training school, so called?

Mr. BENNET of New York. Not in the slightest degree.

Mr. SLAYDEN. This bill seems to carry an indefinite appropriation.

Mr. BENNET of New York. Oh, no.

Mr. SLAYDEN. Section 2 provides that a sum equal to that annually appropriated by the State or municipality for the purpose of maintaining such a marine school or schools is hereby authorized to be appropriated—

Mr. BENNET of New York. Authorized.

Mr. SLAYDEN (continuing). For the purpose of aiding in the maintenance and support of such school or schools.

Mr. BENNET of New York. The amendment I have suggested and sent to the Clerk's desk strikes out the words "equal to that," in section 2, line 6, page 2, and puts in the words "not exceeding in amount," so that what it does is to authorize this or any succeeding Congress, if in its judgment it ought to be done, to appropriate a sum not exceeding in amount.

Mr. SLAYDEN. Congress would have that authority anyway, would it not?

Mr. BENNET of New York. No; Congress would have to have a bill passed in this way and then an appropriation from the appropriate committee. The Appropriations Committee could not report an appropriation unless there was some authority of law given, otherwise it would be subject to the point of order in the House.

Mr. SLAYDEN. How much would it perhaps cost the country?

Mr. BENNET of New York. If it went to the maximum, I imagine it could not be over \$25,000 a year.

Mr. SLAYDEN. For all the schools?

Mr. BENNET of New York. It would be more than that with the other two—\$50,000 or \$60,000.

Mr. SLAYDEN. You authorize conditionally the establishment of other schools. You have one at New York—

Mr. BENNET of New York. There are three now—one at Boston, one at Philadelphia, and one at New York.

Mr. SLAYDEN. There is one authorized at New York, Boston, Philadelphia, Baltimore, Norfolk, Wilmington, Mobile, Charleston, New Orleans, Savannah, Baton Rouge, in Narragansett Bay, and San Francisco.

Mr. BENNET of New York. That is all eliminated in accordance with a suggestion of the chairman of the Committee on Appropriations, and there are only two added—Seattle and San Francisco.

Mr. SLAYDEN. You have no idea what the appropriations will ultimately have to be?

Mr. BENNET of New York. No; it would have to come up in the regular way and be passed on by the House.

Mr. SLAYDEN. What is the purpose of it, to make sailors for the merchant ships?

Mr. BENNET of New York. Not only for the merchant ships but for our own auxiliary. The executive officer who took the dry dock *Dewey* to Manila was a graduate of the New York school. The executive officers of the lighthouse tenders are 75 or 80 per cent of them graduates of these schools. The executive officers of the naval colliers, as I recall it, come from these schools. The Government gets tremendous benefit from these schools, and they are maintained now by these three cities at a large expense per pupil for the benefit of the whole United States, and this simply is to give any succeeding Congress the right, if it so desires, or this Congress, if it so desires, to appropriate any sum it pleases, \$5,000 or \$10,000, for the purpose.

Mr. SLAYDEN. The gentleman does not mean to tell me the city of New York is engaged in such a purely altruistic work as this for the benefit of, say, for instance, the State of Texas?

Mr. BENNET of New York. Yes; and has been since 1876; and I do not doubt but that every coaster of any size that comes into port in Texas, a large coaster, has on it a graduate of St. Mary's School, New York.

Mr. SLAYDEN. And you say this also covers the Lighthouse Service?



Mr. BENNET of New York. The lighthouse officers come almost entirely from these schools.

Mr. SLAYDEN. And all heading more or less directly for a pension?

Mr. BENNET of New York. I do not believe there is any pension roll.

Mr. MANN. Will the gentleman yield?

Mr. BENNET of New York. Certainly.

Mr. MANN. What is the distinction between a nautical school and a marine school?

Mr. BENNET of New York. Well, the gentleman ought to know—

Mr. MANN. I know, but the gentleman does not know, and the gentleman did not report the bill, and he is trying to find out from the gentleman who did report the bill.

Mr. BENNET of New York. The bill, as reported, provided for an appropriation for the purpose of maintaining such a marine school or schools, and, at the suggestion of the gentleman from Illinois—

Mr. MANN. It says:

Such a marine school or schools.

Where is the distinction of such a marine school in the bill? The bill in section 1 provides in reference to nautical schools, and in section 2 it provides "for such a marine school or schools." What is the distinction between a nautical and a marine school?

Mr. BENNET of New York. I have never been able to see—

Mr. MANN. You say a "nautical school" in one section of the bill and "marine school" in another, and there is no distinction as to a marine school in the bill.

Mr. BENNET of New York. It seems to me the term is synonymous.

Mr. MANN. If it is synonymous, why, then, do you change them?

Mr. BENNET of New York. If there was any objection, I think the amendment suggested by the gentleman from Illinois of the words "or a nautical branch thereof," which we have adopted, covers it.

Mr. MANN. The gentleman provides in reference to a nautical school in section 1, or a nautical branch thereof. Now, under section 2, it refers to a marine school. I assume if the committee thought they meant identically the same thing they would naturally use the same language.

Mr. BENNET of New York. The committee evidently did. If they are not the same thing, and if I can get unanimous consent, I will ask that they change "marine" to "nautical."

Mr. MANN. I thought the committee, in its wisdom, had discovered the distinction between a marine school and a nautical school. Plainly, it is always in the interest of construction of statutes, where you mean the same thing in two places, to use the same language.

Mr. BENNET of New York. I quite agree with the gentleman.

Mr. HUMPHREY of Washington. I was going to say, as a matter of fact, that the committee thought the terms were synonymous; and they happened to be that way in the bill, and they did not change them.

Mr. MANN. When there are two terms meaning substantially the same thing, in the same law, it is desirable to use the same expression.

Mr. HUMPHREY of Washington. I thought it had all been agreed between the gentleman from Illinois [Mr. MANN] and the gentleman from New York [Mr. BENNET] that the change should be made.

Mr. MANN. I do not remember the agreement, if made. It must have been made a long time ago.

Mr. BENNET of New York. It was; at the last session of Congress.

Mr. MANN. I think there was no agreement whatever. I made a suggestion to the gentleman from New York to insert the words "or nautical branch thereof," and I then called the attention of the gentleman, on a marked bill, to the distinction. In one section there was used the term "marine schools," and in another section "nautical schools."

Mr. GOULDEN. Does the gentleman from Illinois think there is any distinction? I ask him, because of my entire confidence in his ability to discriminate.

Mr. MANN. I am not a marine, as the gentleman from New York is. I thought the chairman of the Committee on the Merchant Marine and Fisheries would know the distinction, and if there is no distinction, certainly the use of correct English.

Mr. OLMSTED. Possibly he means the horse marines. [Laughter.]

Mr. HUMPHREY of Washington. Mr. Speaker, as the bill is amended I hope that it will pass. If it does, it will give San Francisco and Seattle an opportunity to establish these schools. As the law is to-day it does not permit these schools on the Pacific coast. I also think that the Government should be willing to pay part of the expense of these schools. The Navy Department has just given to the State of Washington a naval vessel for the purpose of being used in the training of boys in the Naval Militia. Our city is taking great interest in all matters pertaining to the Navy and our merchant marine, and if this bill is passed I believe a great marine school will be established at Seattle, where American boys can be trained in seamanship. These young men will not only furnish officers for the Revenue Service and the merchant marine, but they will be of great value in time of necessity for the service they can render to the Navy.

Mr. BENNET of New York. How much time have I consumed, Mr. Speaker?

The SPEAKER. Thirteen minutes. The gentleman has seven minutes remaining.

Mr. KOPP. Will the gentleman yield?

Mr. BENNET of New York. For a question.

Mr. KOPP. Does the Government contribute anything toward the support of these schools now?

Mr. BENNET of New York. Not a cent.

Mr. KOPP. If I understand the bill, it proposes to furnish the instructing force entirely, does it not?

Mr. BENNET of New York. That is not new. That is done now.

Mr. KOPP. That is what I was asking.

Mr. BENNET of New York. I beg the gentleman's pardon. I thought he was simply referring to appropriations.

Mr. KOPP. The Government furnishes instructors now?

Mr. BENNET of New York. What the Government does is this: It furnishes a vessel for which it has no use, and if it is in control of the city, the city pays all the expense of keeping the vessel going. If it details a man, he is paid by the city, but there is an authorization to that man to be so detailed.

Mr. KOPP. Take the school at New York to which you refer, and the name of which I have forgotten, how many instructors are there in it, approximately?

Mr. BENNET of New York. I am not able to say. There is one man at the head of it, and I should say that there are six or seven instructors.

Mr. KOPP. From what source does their pay come?

Mr. BENNET of New York. From the city of New York.

Mr. KOPP. This bill proposes to furnish all of those instructors, does it not, or at least authorizes the President to appoint all of them from naval officers?

Mr. BENNET of New York. No; it permits them to be detailed for that purpose.

Mr. KOPP. Under the bill it would be possible for the President to appoint all the instructors.

Mr. BENNET of New York. That is the existing law, in section 3; it is not changed a particle. The only change in the bill is in section 2—that is, the only change of any moment—which authorizes Congress to appropriate, if it will.

Mr. KOPP. One-half?

Mr. BENNET of New York. Yes.

Will the gentleman from Illinois [Mr. MANN] consume some of his time? I reserve the balance of my time.

Mr. MANN. Mr. Speaker, the law now upon the statute books provides that the Government may furnish nautical instruments to nautical schools in various cities and may also detail an officer of the Navy to give instruction in those schools.

In section 2 of this bill is a provision which ought to receive serious consideration from Congress. Some years ago the Government created or authorized the creation of State universities, and in course of time made appropriations directly out of the Treasury for those universities. Those appropriations have been increased until now they amount to more than a million dollars a year. Originally there was no appropriation at all, and then when the appropriation was commenced, a small amount. This bill proposes to authorize or authorizes the making of an appropriation equivalent to one-half the expense of maintaining these nautical and marine schools in five cities. It does not limit that expense to the existing nautical schools in those cities. Any business college in New York City can establish a nautical branch and thereupon obtain, under the authorization here, one-half of the expense out of the General Treasury.

Mr. STAFFORD. If the gentleman will permit, I think the phraseology is limited to a city or municipality, rather than a private institution, as defined in section 2.

Mr. MANN. Where is that in section 2?

Mr. STAFFORD (reading):

That a sum not exceeding the amount appropriated by any city or municipality.

Mr. MANN. Very well.

Mr. STAFFORD. It can not extend to private institutions.

Mr. MANN. Very well; if the city of New York appropriates some amount of money for this purpose and a larger amount of money than Congress cares to appropriate, there is no limitation on the appropriation at all.

Mr. SULZER. There is only one school in each city.

Mr. MANN. Where is the provision for only one school in one city? If the gentleman finds that I will take my seat now.

Mr. MICHAEL E. DRISCOLL. It says school or schools.

Mr. MANN. But the gentleman from New York [Mr. SULZER] says that the measure had but one school in each city, and I am waiting information as to where he finds that.

Mr. SULZER. On investigation I find there is no provision of the bill requiring that specifically—

Mr. MANN. That is another proposition. The gentleman says there may be more.

Mr. SULZER. I thought the gentleman said there was one school to a city, and I am willing to accept his word for it.

Mr. MANN. But there may be more, while the gentleman stated a moment ago it was confined to one.

Mr. SULZER. In my judgment it should be confined to one school in each city.

Mr. MANN. Now you are talking good sense. If it is, let us try and put some limitation upon the number of schools in each city and some limitation upon the appropriation. Under the provisions of this bill, the expense may be \$1,000,000. How much does it cost? You have a college in New York. In the original bill, before the amendment was made in the form in which it is now offered, in the college of New York, New York City, it authorized a nautical school. We might have made a pledge, if we followed the terms of this bill, to pay half the expenses of all the instruction, not the instruction in the nautical school, but half the cost of the entire university. That fault has been cured. Now we ought, if we pass this bill, to put a limitation on it as to the amount of money which is authorized by this bill to be paid out of the General Treasury. Is the gentleman from New York willing to do that?

Mr. BENNET of New York. Perfectly.

Mr. MANN. How much will it take?

Mr. BENNET of New York. Make it \$100,000 a year.

Mr. MANN. That is a pretty large amount.

Mr. BENNET of New York. Well, that is the maximum.

Mr. MANN. Oh, well, the gentleman knows from his long service in this House that in a case like this, where Congress expresses its opinion as to the maximum, that is quickly reached. The gentleman a moment ago suggested \$100,000.

Mr. BENNET of New York. Commencing at \$25,000.

Mr. MANN. For each school?

Mr. BENNET of New York. Make it \$25,000 for each school.

Mr. MANN. Then there is no limitation upon the number of schools in a single city.

Mr. HUMPHREY of Washington. Why not limit it to each school?

Mr. MANN. One to each city?

Mr. SLAYDEN. How many cities?

Mr. FOSTER of Illinois. Why not limit it to one in a State?

Mr. MANN. The bill names five, and there is only one in a State.

Mr. SLAYDEN. Colorado would not get much.

Mr. MANN. There ought to be a limitation of one school to a city, and \$25,000 annually for one school.

Mr. BENNET of New York. That satisfies me.

Mr. MANN. Let us see if we can arrange it.

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent to modify my motion by providing for suspension of the rules and passage of the bill, with the amendment already sent to the desk, and this additional amendment to come in in line 21, page 2:

*Provided, however, That appropriations shall be made for but one school in any city and that the appropriation for any one year shall not exceed \$25,000 for any one school.*

Mr. SLAYDEN. And one city to a State.

Mr. BENNET of New York. That would enlarge it, because there are only five cities named.

Mr. MANN. I think you could shorten that language a good deal.

The SPEAKER. Is there objection to the request of the gentleman from New York? If not, the Clerk will report the proposed amendment.

The Clerk read as follows:

Insert in line 21, on page 2, the following:

*Provided, however, That appropriations shall be made for but one school in any city and that the appropriation for any one year shall not exceed \$25,000 for any one school.*

Mr. KOPP. Ought not that to be a proviso to section 2?

Mr. BENNET of New York. I think it would come in better after line 10. I think the gentleman is correct.

Mr. STAFFORD. Let us have the amendment reported again, Mr. Speaker.

The SPEAKER. If there be no objection the Clerk will again report the amendment.

The Clerk read as follows:

Insert after line 10, on page 2, the following:

*Provided, however, That appropriations shall be made for but one school in any city and that the appropriation for any one year shall not exceed \$25,000 for any one school.*

Mr. MANN. Suppose you make it read "any one of the cities above mentioned in section 1."

Mr. BENNET of New York. I will accept that.

Mr. MANN. Instead of "any one city" make it read "any one of the cities hereinbefore named in section 1."

Mr. OLMSTED. You have not named any city in section 1.

Mr. MANN. The amendment names five cities. I think the word "port" is used instead of "city."

The SPEAKER. The question is on suspending the rules and passing the bill with the amendments.

Mr. MANN. May we have the amendment read again? There was a change made.

The SPEAKER. If there be no objection, the amendment as modified will be reported by the Clerk.

The Clerk read as follows:

Insert after line 10, on page 2, the following:

*Provided, however, That appropriations shall be made for but one school in any port heretofore named in section 1 and the appropriation for any one year shall not exceed \$25,000 for any one school.*

The SPEAKER. The question is on suspending the rules and passing the bill as amended.

The question being taken; and two-thirds voting in the affirmative, the rules were suspended and the bill as amended was passed.

Mr. GOULDEN. Mr. Speaker, the bill (H. R. 24145) for the establishment of nautical schools, and for other purposes, after careful investigation by the Committee on the Merchant Marine and Fisheries, under consideration, was favorably reported during the last session. New York City established such a school in 1876, and maintained it creditably ever since.

In these 35 years hundreds of young men were graduated and have made splendid records in the lighthouse, naval, revenue, and merchant-marine services. There is a far greater demand for these young men than the three nautical schools can possibly supply. Hitherto the cities of New York, Boston, and Philadelphia, maintaining such institutions, have borne all the expenses, the benefits accruing to the entire country.

This bill simply provides that the Federal Government, which benefits so largely from the services of these graduates, shall pay toward their support in a sum not exceeding one-half of the cost of maintaining the same.

The proposed amendment will give each of the five cities authorized by this bill, viz, New York, Boston, Philadelphia, San Francisco, and Seattle, a sum not exceeding \$25,000 annually, while not sufficient, will be a relief and encouragement to the cities named.

The advocates of the measure will accept the amendment, confidently believing that a future Congress will add sufficiently to the amount named to properly and successfully conduct these excellent schools.

I am familiar with the splendid results achieved by the *Newport* and its predecessor, the *St. Marys*, supported by the great city of New York, and believe the measure under consideration to be a most praiseworthy one.

#### RECOMMITTAL.

Mr. PRINCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table two bills, H. R. 19856 and H. R. 26129, reported adversely by the Committee on Claims, and to recommit them to the Committee on Claims.

The SPEAKER. The gentleman from Illinois asks unanimous consent that these bills be recommitted to the Committee on Claims. Is there objection?

There was no objection.

#### LEGISLATIVE APPROPRIATION BILL.

Mr. GILLET. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the legislative appropriation bill (H. R. 29360).



The motion was agreed to; and accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. BURKE of Pennsylvania in the chair.

The Clerk proceeding with the reading of the bill, read as follows:

Office Third Assistant Postmaster General: Third Assistant Postmaster General, \$5,000; chief clerk, \$2,500; superintendent Division of Stamps, \$2,750; superintendent Division of Finance, who shall give bond in such amount as the Postmaster General may determine for the faithful discharge of his duties, \$2,250; assistant superintendent Division of Finance, \$2,000; superintendent Division of Classification, \$2,750; six special agents, Division of Classification, at \$2,000 each; chief Division of Redemption, \$2,000; superintendent Division of Registered Mails, \$2,500; six assistant superintendents Division of Registered Mails, at \$2,000 each; 9 clerks of class 4; 23 clerks of class 3; 32 clerks of class 2; 44 clerks of class 1; 28 clerks, at \$1,000 each; 18 clerks, at \$900 each; messenger; 5 assistant messengers; 12 laborers; page, \$360; in all, \$253,270.

Mr. WEEKS. Mr. Chairman, I move to strike from the bill the following language, commencing with line 21, the words:

Six special agents, Division of Classification, at \$2,000 each.

And in line 24, the words:

Six assistant superintendents, Division of Registered Mail, at \$2,000 each.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 141 strike out the following language, lines 21 and 22, "six special agents, Division of Classification, at \$2,000 each," and, lines 24 and 25, the words "six assistant superintendents, Division of Registered Mail, at \$2,000 each."

Mr. GILLETT. Mr. Chairman, I would like to know the purpose of this amendment.

Mr. WEEKS. I will explain the purpose of my amendment. There were originally six classes of inspectors connected with the Post Office Department, the regular inspectors, those connected with the Rural Service, those connected with the Railway Mail Service, the Division of Salaries and Allowances, those connected with the Division of Classification, and the Division of Registered Mail. The latter were originally stationed in Washington, and therefore were properly appropriated for in the bill now under consideration. Now, they have been sent about the country so that of the 12 men belonging to these classes there are only 3 doing duty in Washington. It would be as logical to appropriate in this bill for letter carriers or for any other class of men in connection with the postal service as for these inspectors who are now in the field and doing similar work to other inspectors in the field. The Post Office Department has actually consolidated all the classes of inspectors so that now they are working as one body. That is to say, they are not using these men for the special purposes for which they were appropriated for, but for a general inspection service, and it is not in my judgment logical or reasonable that this bill should contain appropriations for service that is being employed in the field in connection with the Post Office Department.

Mr. GILLETT. How long has that been going on?

Mr. WEEKS. I should say three or four months. I think they have been in the field six months.

Mr. GILLETT. But it was all within this year?

Mr. WEEKS. I think within this year.

Mr. CRUMPACKER. I think the special agents connected with the Division of Classification have been in the field for two or three years.

Mr. WEEKS. Oh, yes; some of them, off and on.

Mr. CRUMPACKER. I know that some special agents in the Classification Division were sent out into the field and have been in the field ever since for two or three years investigating publications with a view, of course, to classification. They are all now under a chief inspector and classed as inspectors.

Mr. GILLETT. They are paid out of this appropriation?

Mr. CRUMPACKER. Yes; this is for special agents in the Division of Classification, and they are under the control of the Third Assistant Postmaster General.

Mr. GILLETT. He had no legal right to do that; it was a violation of law.

Mr. WEEKS. I do not think it is in violation of law; I think the Postmaster General has a right to use the inspection service in any field he sees fit.

Mr. GILLETT. Mr. Chairman, I do not think he has. I think that the appropriations under this bill are meant for the service here in Washington, in the departments, and, as the gentleman says—

Mr. WEEKS. That is quite true; but the service is not performed in Washington in these cases, and therefore I want it inserted in the Post Office appropriation bill, where it belongs.

Mr. GILLETT. Exactly. It seems to me that is true. What I wish to bring forward is a criticism of past conduct. If what

the gentleman says is true, they have been violating the law in the past.

Mr. WEEKS. I do not agree that any law is being violated.

Mr. GILLETT. Why not?

Mr. WEEKS. The Postmaster General is trying to arrange the inspection service so that it will be under the charge of a chief inspector and homogeneous, so that a man need not go to a town to inspect the registered service, and then another inspector drop into the same town to inspect something else in connection with the post-office service. It all brings about economic service.

Mr. GILLETT. I am not criticizing that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GILLETT. I ask unanimous consent that the time of the gentleman from Massachusetts be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GILLETT. The point I am making is this, that here these men are provided for, and have been for years, to do work in Washington. Now, the gentleman from Massachusetts [Mr. WEEKS] says that they are not doing it now in Washington—only three of the 12. The gentleman from Indiana [Mr. CRUMPACKER] says that from the very beginning that was done. All I wish to call attention to is that if that is so they certainly do not belong in this bill, but they had no business to be used in that way, so long as they were in this bill, it seems to me, and why did not the Postmaster General in making his estimate this year suggest that they be taken off?

Mr. WEEKS. The Postmaster General has written a letter to the chairman of the Committee on Appropriations stating that he has consolidated this service, and suggesting by inference that the appropriation be transferred. The men have been transferred.

Mr. GILLETT. No such suggestion was made when we were framing the bill.

Mr. WEEKS. A copy of the letter was sent to me.

Mr. GILLETT. Not until after the bill was reported, the clerk of the committee informs me.

Mr. CRUMPACKER. The work of these special agents is chiefly in the field. They go into the field to investigate the character of publications. I have in mind one constituent of mine who has been in the service for three years, and he has not in that time been in the city of Washington for six weeks. His work is in the field altogether, except when detailed to come here to finish up some matters in connection with reports he has made, to explain. I know of a number of others, two or three, who have been engaged in field work out of Washington substantially all of the time for the last three years.

Mr. GILLETT. What right had they to be so employed when appropriated for in this bill?

Mr. CRUMPACKER. I do not know. I understand that they will be paid hereafter as inspectors and the appropriation made for them as inspectors.

Mr. FINLEY. Under the general law the Postmaster General has the right to transfer the various bureaus and branches of the service one to the other, and acting under that law he has made this transfer, so that these men are no longer in the department, but in the field, and they will be provided for in the Post Office appropriation bill which is being prepared.

Mr. GILLETT. The gentleman does not mean, of course, that the Postmaster General has the right to transfer from the postal service to the Postal Department?

Mr. FINLEY. Oh, I mean that he can transfer any branch of the service in the department from one bureau to another, and that he has done.

Mr. GILLETT. Here in the department, yes; but as I understand this is not in the department from one bureau to another, but this is from the department to the service. As I understand, the distinction is that the Post Office appropriation bill appropriates for the postal service and this bill appropriates for the Postal Department. The law provides that the two shall be kept distinct, and I am of course perfectly willing and want the men to be in the proper bill where they are now used and ought to be used.

Mr. FINLEY. The gentleman will admit the Postmaster General could dispense with the services of these men if no longer needed?

Mr. GILLETT. Assuredly.

Mr. FINLEY. All that has been done is to transfer this number to the Post Office appropriation bill because they are engaged in field work.

Mr. CRUMPACKER. Are not these special agents engaged in departmental work? The Third Assistant Postmaster General sends the men out in order to get information that he needs, and that is really departmental work.

Mr. GILLETT. Then it ought to be in this bill.

Mr. CRUMPACKER. That is the proposition to be determined; that is for the information of the Third Assistant Postmaster General in order that that department or in order that this classification may be made he sends special agents out just the same as if he would make a trip, and while on that trip he would be doing departmental work.

Mr. GILLETT. If it is departmental work, it ought to be in this bill; if not, it ought not.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. FITZGERALD. I ask that his time be extended five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. The duties of the post-office inspectors are entirely different from these, are they not?

Mr. WEEKS. The duties of the post-office inspectors were formerly specialized. That is to say, there were regular inspectors, and inspectors engaged in the Rural Service, inspectors in the Salaries and Allowance Division, inspectors connected with the Railway Mail Service, and so forth. The Postmaster General, in order to prevent duplication of work, has consolidated all of these services and put them under the chief inspector.

Mr. FITZGERALD. That may be true; but what authority is there for the Postmaster General to take men who were authorized for use in work in the department in Washington and transfer them to the field service?

Mr. WEEKS. It has been necessary in connection with the registry service, for instance, to have these men inspecting and investigating the registry service in the field, and, as a matter of fact, all six of these men, five of them at least, are in the field and have been for a long time.

Mr. FITZGERALD. Who performs the duties they were supposed to perform?

Mr. WEEKS. It prevents sending two inspectors to the same town to do similar work in the inspection of a post office.

Mr. GILLETT. Is not one line of duty looking up accounts and the other line of duty looking after field work?

Mr. WEEKS. It is quite likely that is true, but one man can do the two services quite as well and save the expense of transportation of one and other necessary expenses.

Mr. GILLETT. It seems to me one would be an agent of the department for one purpose and another for quite another purpose, and I should suppose that they are quite different men, but I know nothing about it.

Mr. WEEKS. No; not at all. The department's recommendation is that they can employ these men for general service and get much better results and better economy in the service.

The CHAIRMAN. The question is on the amendment offered by the gentleman—

Mr. MANN. Mr. Chairman, may I ask the gentleman from Massachusetts, chairman of the Committee on the Post Office and Post Roads, a question? He says it is not a violation of the law to transfer officials from Washington to field service. Upon what basis does he make that statement?

Mr. WEEKS. I did not say it was not a violation of the law to transfer these men to the field service.

Mr. MANN. I beg the gentleman's pardon; I did not understand him.

Mr. WEEKS. At least I did not intend to say that. I am not sure what the law is in the case of a transfer of men from the departmental service to the field service, but as a matter of fact, in connection with such duties as registry inspection, inspectors have been a large part of the time since the establishment of the service in the field, but making their headquarters in Washington. Now, for instance, two of these men are in San Francisco.

Mr. MANN. What I really want to get at is whether the Post Office Department, at some time unable to secure from the Post Office Committee an appropriation for agents for field service, then came in before the Committee on Appropriations and showed how highly essential it was that these officials should be provided for in the District of Columbia, at Washington, and then, having obtained an appropriation and appointed the officials, transferred them to this field service.

Mr. WEEKS. Mr. Chairman, I am not familiar with the original authorization for this service, but undoubtedly it was originally the intention that it should be connected with the department, just as it was the intention that a certain class of inspectors should do rural delivery service inspection; but it was soon developed that they were sending a man into the field to inspect a rural route and another inspector was inspecting a post office in the same neighborhood, while one man could do

both services on the same day and at the same time. The department thinks it wise to bring both of these classes under the same bureau and to absolutely prevent the duplication of service by sending two men into a neighborhood where one man can do the work.

I want to add this word, Mr. Chairman: It seems to me it is unwise, as long as a committee has an appropriation bill pertaining to a service, that anything relating to that bill should be carried by another committee. I say this without any prejudice as to what committee it is, but I do not see how we are going to know what the cost of a service is unless the whole cost is included in one bill.

Mr. MANN. Is it not also true that there is no method of ascertaining what the cost of the service is in Washington or in the field if one committee has jurisdiction of the entire subject and makes all the appropriations?

Mr. WEEKS. I do not think that is entirely true, Mr. Chairman.

Mr. FITZGERALD. That has been the experience of ages.

Mr. MANN. That is the reason of the delimitation between the jurisdiction of the committees. The gentleman from Massachusetts [Mr. WEEKS], after not very extended service on the Committee on Post Office and Post Roads, although a very brilliant service while he has been there, has reached that conclusion. A great many people who have been for many years and during a long period of time working on appropriations have reached the contrary conclusion. That is the reason they provided it in the rules.

Mr. WEEKS. I must admit youth and inexperience as compared with the gentleman from Illinois.

Mr. MANN. "The gentleman from Illinois" was not referring to himself. This item has been in the rules for many years.

Mr. WEEKS. My experience is that it is wiser that everything pertaining to a service, as long as all appropriations are not coming from one committee, should go to the committee which has special charge of it.

Mr. MANN. That the gentleman and his committee should have jurisdiction over all the appropriations relating to the Post Office Department, including those that are carried in this bill, as I take it.

Mr. WEEKS. Not at all. All appropriations pertaining to the work of the post-office service outside of the departmental service.

Mr. GILLETT. Does the gentleman think the recommendation of the Postmaster General for spending a million dollars, which is now carried in his appropriation, and to put it on the sundry civil bill, is wise in that line? I mean the appropriation for printing the postage stamps.

Mr. WEEKS. I have no information on that subject, and I certainly do not think it is wise.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. My information is that there has been not only a distinction between these two classes of employees, but that it will be very difficult to utilize the employees under these different classifications indiscriminately in the work that is to be done. The post-office inspector has always been regarded in the guise of a detective. He is sent out to ascertain where errors have been made or where crime has been committed and to prevent abuses in the department. These particular employees were authorized, according to my recollection, at the urgent request of the department, because it was desired to have a force of men that were specially equipped and who might go, at the direction of the Third Assistant Postmaster General, to instruct other employees in their work. They were to be special instructors to aid the men employed in the various offices in the better performance of their work, and it was believed that the ordinary post-office inspector, considering the manner in which he is looked upon by the average post-office employee, was not the best person to designate to accomplish that work. If these assistants who have been authorized as departmental employees have been transferred to the postal field service it is without authority. While the Postmaster General may have the right to transfer from one part of the service to another or from one bureau to another there is no authority in the law to permit him to transfer at will from the department to the service or from the service to the department.

Mr. WEEKS. Mr. Chairman, I have not at hand the law on that subject, but it is the universal opinion of those who are familiar with this service, the Postmaster General, his four assistants, and the chief inspector, that the service will be better performed and real economy will be brought about by making this consolidation which has already been physically made. I am simply asking that the appropriation which ap-



plies to men who are not doing departmental work, but are in the field, shall be provided for in the post-office appropriation bill. The same amount of money will be appropriated.

Mr. MANN. I take it that the proposition is that these people are not engaged in departmental work in Washington, and of course the appropriation should be stricken out; but as to whether we should appropriate for them in some other place, that remains to be considered hereafter.

Mr. WEEKS. It is proposed to appropriate for them in the Post Office appropriation bill.

Mr. MANN. It remains for Congress to determine whether we shall or not.

Mr. WEEKS. Of course we shall make the report to that effect, and Congress can do as it sees fit.

Mr. GILLETT. As I understand, they were appropriated for by us. They came to us from the Postmaster General, because he did not want inspectors to do this work.

Mr. WEEKS. Originally.

Mr. GILLETT. Now, I understand, they revert to the old custom, and do want the inspectors.

Mr. WEEKS. That is the fact, and all the inspectors are doing similar work in the field.

Mr. GILLETT. We do not want any duplication of work that the Postmaster General is doing, practically in violation of the law as the law obviously reads.

Mr. CRUMPACKER. It is very difficult to separate the departmental service from the postal service. I have been investigating the service of inspectors, and I think the intention is to recommend that the inspectors who do all the detective business shall be transferred over to the Department of Justice; that the Department of Justice should detect and punish crime. It is not a part of the duty of the Post Office Department to do that. It is with a view to classifying and economizing. That is, I think, a part of the present Postmaster General's plan of further economizing the service and making it more systematic and effective.

Mr. GILLETT. I regret that the Postmaster General did not come before the committee to tell them that which he has apparently communicated to the gentleman from Massachusetts. That seems to be a part of his purpose and what he is doing now, although it seems to me that he has no right to do it; and so I see no objection to its going out here.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. MANN. I should like to have the amendment reported again, so as to know what it is.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For per diem allowance for assistant superintendents, Division of Registered Mails, when actually traveling on business of the Post Office Department, at a rate to be fixed by the Postmaster General, not exceeding \$4, and for other actual and necessary traveling expenses arising in connection with business of the Division of Registered Mails, \$7,000.

Mr. CULLOP. I desire to reserve the point of order on that.

Mr. WEEKS. I move to strike out from the bill the paragraph just read.

The CHAIRMAN. The gentleman from Massachusetts moves that the paragraph just read be stricken from the bill.

The question was taken, and the motion was agreed to.

The Clerk read as follows:

For per diem allowance for special agents, Division of Classification, when actually traveling on business of the Post Office Department, at a rate to be fixed by the Postmaster General, not exceeding \$4, and for other actual and necessary traveling expenses arising in connection with the business of the Division of Classification, \$7,000.

Mr. WEEKS. Mr. Chairman, I move that that paragraph be stricken from the bill.

The CHAIRMAN. The gentleman from Massachusetts moves that the paragraph just read be stricken from the bill.

The question was taken, and the motion was agreed to.

The Clerk read as follows:

Division of Supplies: Superintendent, \$2,500; assistant superintendent, \$2,000; 2 clerks of class 4 (one in lieu of printing clerk transferred from office of the Postmaster General); 3 clerks of class 3; 11 clerks of class 2; 18 clerks of class 1; 16 clerks, at \$1,000 each; 8 clerks, at \$900 each; messenger; 11 assistant messengers; 18 laborers; page, \$360; in all, \$94,100.

Mr. MACON. I reserve the point of order to the words on page 144, line 5:

Assistant superintendent, \$2,000.

His salary last year was \$1,800, and this being an increase of salary the provision is subject to a point of order.

The CHAIRMAN. The gentleman from Arkansas raises a point of order. The Chair will be glad to hear from the gen-

tleman from Arkansas or from the gentleman in charge of the bill.

Mr. GRAFF. Mr. Chairman, we confess the point of order.

The CHAIRMAN. The Chair sustains the point of order. Does the gentleman from Illinois desire to offer an amendment?

Mr. GRAFF. We offer an amendment restoring the original salary of \$1,800, moving to insert \$1,800 in place of \$2,000 just stricken out on the point of order.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 144, line 5, after the word "dollars," insert "assistant superintendent, \$1,800."

The amendment was agreed to.

The Clerk read as follows:

#### DEPARTMENT OF JUSTICE.

Office of the Attorney General: Attorney General, \$12,000; Solicitor General, \$10,000; assistant to the Attorney General, \$7,000; 7 Assistant Attorneys General, at \$5,000 each; Assistant Attorney General of the Post Office Department, \$5,000; Solicitor of Internal Revenue, \$5,000; Solicitor for the Department of State, \$5,000; 3 attorneys, at \$5,000 each; 1 attorney, \$3,750; 2 attorneys, at \$3,500 each; attorney, \$3,250; 12 attorneys, at \$3,000 each; attorney, \$2,500; assistant attorney, \$3,500; 2 assistant attorneys, at \$3,000 each; 2 assistant attorneys, at \$2,750 each; 5 assistant attorneys, at \$2,500 each; assistant attorney, \$2,400; 2 assistant attorneys, at \$2,000 each; attorney in charge of titles, \$3,500; assistant examiner of titles, \$2,000; chief clerk and ex officio superintendent of the buildings, \$3,000; superintendent of buildings, \$500; private secretary and assistant to the Attorney General, \$3,000; clerk to the Attorney General, \$1,600; stenographer to the Solicitor General, \$1,600; 3 law clerks, at \$2,000 each; 2 law clerks of class 4; clerk in office of the Solicitor of Internal Revenue, \$1,800; attorney in charge of pardons, \$3,000; superintendent of prisons, \$4,000; disbursing clerk, \$2,750; appointment clerk, \$2,000; chief of Division of Investigation, \$3,500; 3 examiners, at \$2,500 each; 4 examiners, at \$2,250 each; 2 examiners, at \$2,000 each; 3 examiners, at \$1,800 each; librarian, \$1,800; 8 clerks of class 4; 12 clerks of class 3; 7 clerks of class 2; 16 clerks of class 1; 15 clerks, at \$1,000 each; 22 clerks, at \$900 each; chief messenger, \$1,000; packer, \$900; 6 messengers; 13 assistant messengers; 7 laborers; 7 watchmen; engineer, \$1,200; 2 assistant engineers, at \$900 each; 4 firemen; 2 conductors of the elevator, at \$720 each; head charwoman, \$480; 22 charwomen. Division of Accounts: Chief of Division of Accounts, \$2,500; chief bookkeeper and record clerk, \$2,000; 3 clerks of class 4; 4 clerks of class 3; 6 clerks of class 2; 5 clerks of class 1; 2 clerks, at \$900 each; in all, \$418,890.

Mr. MACON. I reserve a point of order on this paragraph. There is certain language in it that I will particularize that is offensive to the rules of the House. On page 148, beginning with line 3, after the word "each," I find—

Attorney in charge of titles, \$3,500.

The salary carried in the last bill was \$2,700; that being an increase of \$800, I make a point of order against it.

In line 5, on the same page—

Chief clerk and ex officio superintendent of the buildings, \$3,000.

His present salary is \$2,500. I make a point of order upon that increase.

On the same page, line 18—

Chief of Division of Investigation, \$3,500.

The present salary is \$3,000. I make a point of order upon that increase.

In line 23, on the same page, I find—

Librarian, \$1,800.

The present salary is \$1,600. I make a point of order against the increase.

On page 147, in line 20, I notice that they have added two attorneys at \$3,000 each. I reserve a point of order upon that, and I would like to ask the chairman of the committee if there is any law authorizing that increase.

Mr. GILLETT. Which one is that?

Mr. MACON. On page 147, line 20. Last year we appropriated for 10 attorneys at \$3,000 each. This year we appropriated for 12, which seems to be an increase of two.

Mr. MANN. I may say to the gentleman from Arkansas that in the railroad law we passed at the last session we provided that the Attorney General and the Department of Justice should do certain work which heretofore they have not done, and which undoubtedly will require two attorneys, and I suspect more. Whether that is the reason for this increase in the number, of course I do not know.

Mr. MACON. Perhaps the chairman of the committee can state.

The CHAIRMAN. Does the gentleman in charge of the bill desire to be heard on the point of order?

Mr. GILLETT. No; I simply wish to say that as to the 12 assistants to whom the gentleman refers, that is not an increase. That is simply a consolidation. If he will look at the law of last year he will see that there were 10 in one place and two in another, and we have simply put them together as 12; but there is an increase of two assistants at \$2,000 each. Those are the ones that are new this year.

Mr. MACON. What is the necessity for them? Is there any special work for them to do?

Mr. GILLET. No; no special work, but a general increase of work, and this applies to the whole section. The gentleman is correct in observing that there are a number of changes, and a few changes in salary. All these changes are due almost entirely to the increased work which everyone knows is being prosecuted by the department in the trust cases.

The country demands it, Congress has placed it on the department, and there is a constantly increasing call for work in the department. To accomplish it either the work will have to be neglected or he will have to have some assistance. The work in the Attorney General's department is growing as much as in any other department of the Government.

Mr. MACON. If the gentleman will allow me, I desire to say that if he thinks that by the increase of the two additional attorneys it will prevent such acts as occurred in New York last year, where the district attorney resigned a salary of \$10,000 and then prosecuted the same work for the Government as special counsel for \$50,000, I certainly will not object to this increase of officers.

Mr. GILLET. I do not want to get into a political discussion with the gentleman from Arkansas, and therefore I will ignore that remark, because I think he will be more likely to yield if I say nothing about it. I can not guarantee anything being done, but what I do believe and what I want to impress upon the gentleman from Arkansas is that it is necessary for the full performance of the duties of the department that this increase should be made. If we take it away, we are responsible, and not he, if he fails to perform the work that is put upon his shoulders.

Mr. MACON. I suppose the department recommended this additional force?

Mr. GILLET. Yes; and we did not give the department all that it asked for; but we did pretty nearly, because we felt convinced that it was necessary. The gentleman from Arkansas is a lawyer, and he knows that it is necessary to have men of good capacity to perform this work. The wonder is that they get them at the price that they do pay.

Mr. MACON. I realize that, but the thing I complain of is that we appropriate for salaries of such attorneys and assistants as the department asks for, and then it promptly proceeds to pay exorbitant salaries to special counsel to do their work.

Mr. GILLET. If we do not appropriate here, they have to go outside and employ counsel, and in some cases the amount paid may be exorbitant and others not. Certainly what you have to pay an outside attorney is exorbitant compared with what you pay these men.

Mr. MACON. Mr. Chairman, with the hope that this will in some way relieve the situation in the matter of appointing special attorneys at high prices, I am not going to make the point of order against the two Assistant Attorneys General, at \$2,000 each, but I will against the increases which I indicated a moment ago.

Mr. MANN. Before the gentleman makes the point of order—

Mr. MACON. I will reserve it.

Mr. MANN. Does not the gentleman think that it would be advisable to permit the Department of Justice to have Assistant Attorneys General who will remain there for a time instead of employing outside counsel under a lump-sum appropriation which Congress made? Gentlemen will remember that a few years ago this House, in a fit of hysteria, although it may have been a wise movement, appropriated one-half a million dollars in a lump sum for the prosecution of trusts, and so forth, which amount could be paid in the main to counsel outside the Department of Justice.

I do not know whether that has already been exhausted or not; for years it was continued, and it has been added to. Now, it seems to me that it is far wiser for the Government to maintain in the Department of Justice lawyers of ability and experience at salaries which will keep them there than it is to pay some counsel outside an exorbitant or large salary, much greater than would keep the number of assistants probably of equal ability in the department itself.

I understand that it is the desire of the present Attorney General to get his office in such working shape that it will be possible and practicable for the office of the Department of Justice, with its assistants, to take care of the most of these cases, instead of being forced to go outside and employ counsel and pay them out of the lump-sum appropriations at a much higher rate.

I do not know the gentlemen who are involved in this increase, but an increase for an attorney from \$2,500 to \$3,000 is not a very large increase, and it is perfectly patent, I think, to us all, if you take a young attorney in the department at \$2,000 salary or such a matter, and he proves his ability, he will not

stay there at that salary, nor will he stay at a salary of \$2,500, nor will he stay at all at these low salaries, unless he gets a little increase or unless there is a chance for some of them to get an increase.

It is quite different from employing one of the ordinary administrative officers of the Government. Everyone knows that an attorney who has made good in the Department of Justice can at once step out and receive higher pay outside from some corporation or even from private practice, where the salaries are small, and when that is done the tendency is, unless there is some increase, to leave in the Department of Justice the men of mediocre ability instead of leaving those of ability after we have trained them and they have proven their fitness in the service of the Government. I hope that the gentleman from Arkansas in those cases in the Department of Justice, where we know we ought to have good lawyers to meet the men with whom they come in contact on the outside, will not insist upon his point of order. We ought to be able to say to them, "We offer you some inducements to remain." It is not like an administrative office, where, perhaps, you will keep the same man whether you pay him \$2,500 or \$3,000 a year; or, if you lose the man, you can put another man equally good in his place. That is not true as to lawyers.

Mr. GILLET. Mr. Chairman, to follow up what the gentleman has so admirably said in a general way, may I be specific in two cases here?

Mr. MACON. Mr. Chairman, I desire to follow the gentleman up a little in a general way. [Laughter.] Mr. Chairman, in reply to what the gentleman from Illinois [Mr. MANN] has said, I will state that I ordinarily court his advice and appreciate his counsel upon questions of legislation very much, but in this instance, if I had not been disposed to make the point of order before he made his speech I certainly would make it now, and hence it becomes necessary for me to explain my reason therefor. If the argument presented by the gentleman from Illinois were to control in this matter there would be a regular holdup game engaged in by the attorneys in the employ of the Government in the matter of having their salaries increased, for all they would have to do would be to threaten to resign if their salaries were not increased. In that way the Government would be held up and forced to increase the salaries of its attorneys and other officers. If the argument the gentleman presents was followed in matters of this kind that is just what would result. The same argument has been made on the floor as to engineers in the different branches of the Government, as to the keepers of parks, and I might say the foremen and the clerks in almost every branch of the Government. They threaten that if we do not increase their salaries they will quit the service of the Government. I said the other day, and I think it will bear repeating because of the truthfulness of the statement, that in my judgment there is not a single position connected with the service of the Government, from the President down, where some one can not be found to fill it just as well as it is filled by those who are to-day performing the duties pertaining to them.

We can find dozens of them who are knocking at the door of every office in the whole land, eagerly asking for admittance. They are importuning everybody to aid them to get these places, and there are others who are continually insisting that Congress create new places in order that they can get them. It will not do, under any circumstances, for us to adopt the policy here of allowing the Government to be intimidated by its employees, who may say if we do not increase their salaries they are going to quit. The first thing we know, we would have an organized strike on the part of the employees of the Government, and I am opposed to strikes anywhere, and I am not going to allow a policy of that kind to be inaugurated in this Government if it is within my power to prevent it.

Mr. CULLOP. Is it not true that instead of men quitting their jobs, there is an army of applicants for each and every appointment to be made?

Mr. MACON. In reply I will say that I have just stated that there were dozens knocking at the door of every place that this Government has to give—even the places that we occupy on the floor of this House. [Laughter.] I have heard Members of Congress say that their salaries ought to be increased. Why, there are more men ready to take our places at the present salary than you could count from now until night, and then you would not have the full number. As to the attorneys in the Department of Justice, I believe we can pick out some lame ducks here and there, who would be glad to take their places at the same salary if they decide to resign. [Laughter.]

Mr. FOSTER of Illinois. And the gentleman is not going to resign, I take it.



Mr. MACON. No; I am satisfied with my salary.

Mr. BUTLER. Did the gentleman say that there were only one dozen applicants who were insisting on his place? He is very fortunate if he has only one dozen after him. I congratulate the gentleman.

Mr. MACON. Oh, I said more than you could count from now until nighttime. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. Does the gentleman in charge of the bill desire to be heard further?

Mr. GILLETT. Mr. Chairman, I should like to inquire just what the points of order were.

The CHAIRMAN. The Clerk will report the points of order. The Clerk read as follows:

Page 148, lines 3 and 4, attorney in charge of titles, \$3,500; lines 5 and 6, chief clerk and ex officio superintendent of the buildings, \$3,000—

Mr. GILLETT. Mr. Chairman, I move to amend in the first place, attorney in charge of titles, \$3,500—

The CHAIRMAN. One moment; the Chair has not ruled. The increase indicated in the point of order apparently not being authorized by existing law, the point of order is sustained.

Mr. GILLETT. Mr. Chairman, I move to amend in place of "attorney in charge of titles, \$3,500," to make the amount "\$2,700," which is the present rate.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 148, after the word "each," in line 3, insert "attorney in charge of titles, \$2,700."

The question was taken, and the amendment was agreed to.

Mr. GILLETT. I now wish to offer an amendment in line 5, in place of chief clerk and ex officio superintendent of the buildings, \$3,000, to strike out "\$3,000" and make it "\$2,500," which is the present salary.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 148, line 5, after the word "dollars" insert "chief clerk and ex officio superintendent of the buildings, \$2,500."

The question was taken, and the amendment was agreed to.

Mr. GILLETT. Mr. Chairman, which is the next one, line 15?

Mr. MACON. Superintendent of prisons, \$4,000; the present salary is \$3,000.

Mr. GILLETT. I move to insert "superintendent of prisons, \$3,000."

Mr. AUSTIN. Mr. Chairman, I did not understand the point of order was made against the superintendent of prisons.

Mr. MACON. I reserved points of order against the whole paragraph.

Mr. AUSTIN. I would like to be heard on that, and I would ask the gentleman from Arkansas to withhold his point of order.

The CHAIRMAN. The amendment offered by the gentleman from Massachusetts is still pending, which the Clerk will report. The Clerk read as follows:

Line 15, after the word "dollars," insert "superintendent of prisons, \$3,000."

Mr. AUSTIN. Mr. Chairman, I ask the gentleman from Arkansas—

Mr. MACON. You can discuss the amendment.

Mr. AUSTIN. I move to strike out the last word.

Mr. MACON. The amendment is pending, and the gentleman can discuss the amendment.

Mr. AUSTIN. Mr. Chairman, I wish to be heard. I do not care to be cut off in this way. When the gentleman from Arkansas originally made his point of order against various increases in this paragraph I followed him pretty closely, but I did not notice that he specifically pointed out his objection to this increase in the salary of the superintendent of prisons from \$3,000 to \$4,000. Had I known his purpose was later to insist upon this increase going out on a point of order, I should have asked for an opportunity to have made an explanation, with a view of convincing him that this increase had merit in it and should be retained in the bill. If he will give me his kind attention now, I will be very glad—

Mr. MACON. I am listening to the gentleman.

Mr. AUSTIN (continuing). To say something in reference to it. Mr. Chairman, I was connected with the Department of Justice for eight years, and hence had a splendid opportunity to become personally acquainted with the present occupant of this position, Mr. Robert V. Ladow. My duties brought me constantly in contact with him, and since my election to Congress I have visited that department not only on official business, but otherwise, and I know of my own personal knowledge that his duties have largely increased without any increase in compensation. He is at the head of a bureau of the Depart-

ment of Justice that not only requires and demands of him a great amount of additional duties and the extension of office hours, but his official duties carry him all over the country in connection with his work as superintendent of the three Federal prisons in the United States.

We have been, as all know, constructing these prisons, the last to be erected in the city of Atlanta, and the amount of public funds expended during a year runs to a quarter of a million dollars. Also there are inspections of these Federal prisons located, not only in the far South, but on the Pacific slope, and in addition the Congress at its last session inaugurated a national parole system and made the superintendent of prisons the chairman of the parole boards. Now, that brought to and entailed with it additional duties and responsibilities on the superintendent of prisons; but he is not only the chairman of the national parole boards at the three Federal prisons, but he is also the chairman ex officio of every parole board in the United States in States where Federal prisoners are confined. I know from a personal investigation of his work in the Department of Justice that these new duties and responsibilities have very largely increased his work. I think in all fairness that here is a case that should and, I believe, will appeal to the fair sense of justice of the gentleman from Arkansas and cause him to withdraw his point of order.

The salary of the superintendent of prisons now under existing law is \$3,000. The salary of the wardens of the prisons, subordinate officials of his at Atlanta and the other prisons, is \$4,000 a year. The members of the parole board of the State of New York receive a larger fixed annual salary in connection with their duties as members of the parole board in that State than this superintendent of national prisons does.

Mr. MACON. Allow me to say right there, that if we were to follow the line of New York in the matter of fixing salaries, we would bankrupt this Government. Their circuit judges, I believe, are paid about \$17,000 a year.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. AUSTIN] has expired.

Mr. AUSTIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. AUSTIN. Now, I am not basing my appeal to the gentleman from Arkansas on the approval of the salary list of the State of New York, but only mentioned it in this connection just to show the comparison of the duties of this Federal official with those of a State official. The duties of the superintendent of prisons carry him all over the country, not only on the national parole boards at three Federal prisons, but to every State board where Federal prisoners are confined. I strongly sympathize with the attempt of the gentleman from Arkansas to hold down these appropriations and fighting any proposition that simply means an increase of a man's salary, without showing us that in increasing his salary is based the fact that by new and additional legislation we have largely extended his work and his responsibilities. And I appeal to him in this case to make an exception. If I did not know it was based upon merit and the superintendent earned and deserved it, I would not do so.

Mr. MACON. Mr. Chairman, I rise for the purpose of supporting the amendment offered by the gentleman from Massachusetts [Mr. GILLETT], and in doing so I will say that I think the gentleman's salary ought to be put back to where it was last year, namely, to \$3,000. I have made some investigation about these matters, and I have found that wherever the duties of any of the officials of the Government, whether Congressmen or representing it in some other capacity, increase, the Government furnishes them with some assistance; and I apprehend that if in this particular case this gentleman's duties have been extended and widened that some of those that he performed before they were extended and widened so that he had to leave the city of Washington are now being performed by somebody else, or, if not, they are being sadly neglected. I also know that while this gentleman is traveling from place to place he gets a per diem of something like \$4 per day to defray his expenses, and he is out nothing by reason of that.

Mr. AUSTIN. If the gentleman will permit me, he really draws his actual expenses.

Mr. MACON. Put it that way. If they are \$10, why he gets \$10 a day. So I do not think he is really hurt by increasing his duties along that line where the Government pays his board when he leaves the city of Washington, and he has to pay it when he is here. I insist on the point of order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. GILLETT].

The question was taken, and the amendment was agreed to.

Mr. GILLETTE. Mr. Chairman, I move to amend, in line 18, by inserting the words "three thousand dollars" in the Division of Investigation.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 148, after line 17, insert "Chief of Division of Investigation, \$3,000."

The question was taken, and the amendment was agreed to.

Mr. MACON. On line 24, librarian, \$1,800. The present salary is \$1,600. I make the point of order against that.

The CHAIRMAN. The point of order is sustained.

Mr. GILLETTE. I move to amend by inserting, instead of "eighteen," "sixteen."

The Clerk read as follows:

Page 148, line 23, after "each," insert "librarian, \$1,600."

The question was taken, and the amendment was agreed to.

Mr. BENNET of New York. I move to strike out the last word. Mr. Chairman, reference has been made to the employment of special counsel in connection with the office of the district attorney under the Department of Justice. Inasmuch as reference has been made to such employment, I desire to state a word or two in regard to the practice in the southern district of New York. The present district attorney is Henry A. Wise, at an annual salary of \$10,000. There is not one single special attorney employed by him outside of his own office force—of men employed at salaries authorized by law or by the Department.

Mr. FITZGERALD. Are they not employed by the department and working over there?

Mr. BENNET of New York. There is one special attorney general, so far as I am informed, working there in connection with this action which has been commenced against the so-called Steamship Trust, and some other matters.

Mr. FITZGERALD. How about the Sugar Trust cases?

Mr. BENNET of New York. There is no special counsel working on those cases at the present time.

Mr. FITZGERALD. Not since the election.

Mr. BENNET of New York. Not since before the election some time. It has been the practice of Mr. Wise to do the work through his own office, and out of 490 cases presented to the courts and juries in the southern district of New York, up to a recent date, there have been but 18 acquittals, a record for efficiency which I presume can not be surpassed, at least, in any district in the country.

I have no intention to go into a part of the issues of the recent campaign in New York. They were thoroughly discussed in our State. So far as the gentleman to whom reference has been made is concerned, he left a very lucrative law practice to accept the position of district attorney at a salary very much smaller than the amount he was making in his private practice. He held it for four years at that small salary, and retired from it voluntarily, as he had the right to do.

After his retirement he was retained by the Department of Justice, which fixed his fees, without suggestion on his part, and the work which he did resulted not only in conviction of the men concerned in the sugar frauds, but in the collection for the Government of a sum which, as I now recollect, was about \$3,000,000. Congress had, time and again, by emphatic action, directed the Department of Justice to retain special counsel in cases of that character. It provided a fund to be used for that purpose, so as to have special counsel in cases of that character which required it. I am quite confident that this House would have criticized him if he had not followed out that course. The efforts of the gentleman mentioned were efficient and successful, successful beyond the anticipation of anyone at the time he commenced them. It seems to me that where the employment was at the request of the Attorney General, where the work was successful, where the fee was fixed by the Attorney General, without a request for a particular fee upon the part of that gentleman, and fixed under a statute passed and reiterated, I think, three times since I have been in the membership of this House, that no cause for criticism exists, and least of all should criticism come from this House, which not only first appropriated \$250,000, but afterwards by practically a unanimous vote, increased that appropriation in reference to trusts from \$250,000 to \$500,000.

Mr. FITZGERALD. Mr. Chairman, I believe that all the facts should be stated in connection with the district attorney's office of the southern district of New York and the gentleman to whom my colleague has referred. What was done in connection with his appointment in that office, in my opinion, was justly and severely criticized.

It is said he left a highly remunerative practice to accept a position as district attorney for the southern district of New

York at a greatly reduced compensation from what he was able to earn in his private practice. He served as district attorney for four years. During his service in that office, because of his connection with certain cases then pending, he acquired information of peculiar value to the Government and of peculiar value to the person who was to represent the Government. Then he retired to private practice, and as he had had practically entire control of those cases the Government was somewhat at his mercy and it retained him as special counsel to continue the cases upon which he had been engaged as district attorney. If my recollection is correct, he received for about 18 months' work \$50,000.

The same thing happened in connection with a gentleman from the State of Ohio who was discussed upon this floor in the last session, and the same thing happened in connection with a gentleman who attained some fame in the far West. I consider it a question of doubtful propriety for a man knowingly to accept an office at a compensation much less than he knows he can earn in his private practice, and after the litigation in which he is then engaged reaches a point where he alone is the one man the Government can utilize to continue it retire from the office and get a special retainer and practically devote all his time to the same work, but at largely increased compensation fixed by the Attorney General. I do not believe that the ethics of such conduct meets the approval of the American people.

Mr. CULLOP. Did anybody challenge his right to appear on the other side of the same case after he retired?

Mr. FITZGERALD. He did not appear on the other side. He was retained by the Government, under a private arrangement as to his compensation, to continue the work that he had been engaged in while district attorney. In discharging the duties of his position he had acquired information and had made research, and had equipped himself for the prosecution of those cases in a manner that made him the one man eminently fitted to do that work. I say that a high sense of public duty would have urged him to have continued the great sacrifice which it is now said he made when he gladly accepted the office, and would have impelled him to continue his services in his position as district attorney, and not have separated himself from the pay roll, immediately to be retained at an increased compensation. Those are the abuses of which complaint is made, and I believe justly. There should be something that would so operate upon such officials as to prevent them taking advantage of the Government and holding it up for increased compensation under similar circumstances.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Office of the Solicitor of the Department of Commerce and Labor: Solicitor of the Department of Commerce and Labor, \$5,000; assistant solicitor, \$3,000; 3 clerks of class 4; 2 clerks of class 3; 3 clerks of class 2; 3 clerks of class 1; messenger; in all, \$25,240.

Mr. MACON. Mr. Chairman, I reserve a point of order against the language on page 151, lines 3 and 4:

Assistant solicitor, \$3,000.

It is new legislation, the creation of a new office.

The CHAIRMAN. Does the gentleman reserve or make the point of order?

Mr. MACON. I reserve the point of order, to give the gentleman in charge of the bill an opportunity to explain the necessity for the creation of the position.

Mr. GRAFF. The present office is chief clerk and law clerk at a salary of \$2,250. The new designation is assistant solicitor at \$3,000. This is the same designation and the same office which is in existence now under the law in the office of the Solicitor of the Department of the Treasury. It is proposed to conform to the same organization under the Solicitor of the Department of Commerce and Labor, and it was very strongly urged.

Mr. MACON. The increase is \$500, is it?

Mr. GRAFF. The present salary is \$2,250.

Mr. MACON. Mr. Chairman, I make a point of order against the increase.

The CHAIRMAN. The point of order is sustained.

Mr. GRAFF. I offer an amendment, inserting "\$2,250."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert the words "assistant solicitor, \$2,250."

The amendment was agreed to.

The Clerk read as follows:

DEPARTMENT OF COMMERCE AND LABOR.

Office of the Secretary: Secretary of Commerce and Labor, \$12,000; 2 Assistant Secretaries, at \$5,000 each; private secretary to the Secretary, \$2,500; confidential clerk to the Secretary, \$1,800; private secretary to Assistant Secretary, \$2,100; chief clerk and superintendent,



\$3,000; disbursing clerk, \$3,000; Chief of Appointment Division, \$2,500; Chief, Division of Publications, \$2,500; Chief, Division of Supplies, \$2,100; 10 clerks of class 4; 11 clerks of class 3; 13 clerks of class 2; 12 clerks of class 1; 11 clerks, at \$1,000 each (including 1 transferred from Bureau of Labor); 6 clerks, at \$900 each; 2 telephone operators, at \$720 each; messenger to the Secretary, \$1,000; 5 messengers; 10 assistant messengers (including 1 transferred from Bureau of Manufactures); 7 messenger boys, at \$480 each; engineer, \$1,000; 3 skilled laborers, at \$840 each; 2 conductors of elevators, at \$720 each; 2 firemen, at \$660 each; 18 laborers (including transfers of 1 from Bureau of Manufactures, 1 from Bureau of Lighthouses, and 1 from Bureau of Statistics, and 6 hostlers, at \$660, omitted); 5 laborers, at \$480 each (including 2 at \$660 each from Bureau of Labor, and 1 at \$660 from Bureau of Manufactures dropped); cabinetmaker, \$1,000; carpenter, \$900; chief watchman, \$900; 11 watchmen (including 3 transferred from Bureau of Labor); 18 charwomen (including 3 transferred from Bureau of Labor); in all, \$178,900.

Mr. MACON. Mr. Chairman, I reserve a point of order on the language to be found on page 151, line 10, and ending on line 11. It seems that they have created a new assistant secretary. Last year they appropriated for one at \$5,000, and this year they appropriate for two at \$5,000 each. That seems to be the creation of a new assistant secretary at a salary of \$5,000. I make the point of order against the creation of a new office.

Mr. MANN. Is that the only point of order?

Mr. MACON. No.

Mr. MANN. Does the gentleman make or reserve the point of order?

Mr. MACON. I will reserve the point of order.

Mr. MANN. Mr. Chairman, I quite agree with the gentleman from Arkansas that a point of order ought to be made to this provision. I have the highest regard for the Secretary of Commerce and Labor. Mr. Nagel is one of the ablest men who has ever been connected with the Government, and he has a very capable assistant secretary there now. They desire to have another assistant secretary. It seems to me that they do not need another if they will change somewhat the method of doing business in that office. While it may seem superfluous for me to offer advice to the Secretary of Commerce and Labor as to how he shall conduct his office, it is pertinent in view of the present proposition.

In some departments of the Government correspondence can be carried on by the chiefs of bureaus or heads of divisions. I had charge of the bill creating the Department of Commerce and Labor when it passed the House. We transferred into the new department various activities of the Government, including that of the Labor Department, the Lighthouse Service, and Immigration Service, and various other services of the Government. Now, if you have any correspondence with these different services of the Government it comes through the Assistant Secretary of the Department of Commerce and Labor. Necessarily he knows but little if he knows anything about it. He can know nothing except as he is informed by a subordinate officer who may be in another building. Recently I received some proper communication from that department in reference to the Lighthouse Service signed by the Assistant Secretary of Commerce and Labor, a very efficient gentleman, and yet there is no reason that I can see why in carrying on correspondence with that department of the Lighthouse Service we should not correspond with the chief of the bureau on ordinary matters.

Mr. KEIFER. Will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. KEIFER. Is it not the practice for these communications to be prepared by the chiefs of the bureaus and then submitted through the Secretary, that has charge of the whole thing? That is so in the Treasury Department.

Mr. MANN. The gentleman knows that in the Treasury Department the Assistant Secretary of the Treasury in charge of customs does not send his letters through the Secretary of the Treasury. They are signed by the Assistant Secretary.

Mr. KEIFER. They may be signed in that way and yet sent to the Secretary. The communication must go to the head of the department and have the approval as to whether it shall be sent at all.

Mr. MANN. That is true about a large number of the offices; but take the Treasury Department, the gentleman can receive correspondence, or formerly could, I do not know that he can now, through the Chief of the Revenue-Cutter Service, through the different bureaus of other services, and that is the proper way for us to receive that correspondence. That is the way, the ideal way, in which it is done by the Department of Agriculture. The gentleman will receive communications, for instance, from the Chief of the Bureau of Plant Industry and other divisions of the Agricultural Department. They do not require an assistant secretary there solely for the purpose of signing letters, and if this assistant secretaryship should be created it is practically solely for signing letters concerning which he can not be informed, except he gets his information from the officer who prepares it.

The CHAIRMAN. The time of the gentleman has expired. Does the gentleman from Arkansas insist on the point of order?

Mr. MACON. I insist upon the point of order.

Mr. GRAFF. Mr. Chairman, will the gentleman withhold his point of order for a while?

Mr. MACON. Certainly.

Mr. GRAFF. Mr. Chairman, I am not certain, but I think that the President has issued an order to the effect that heads of bureaus are forbidden to give out any information except when approved by the Secretary of the department, who is head of the department, and while it may be permitted that heads of bureaus may sign the correspondence, yet that correspondence must be either authorized in advance or approved by the head of the department, under that order of the Executive. In this case I would like to ask the gentleman from Arkansas whether he has read in the hearings on this bill the testimony given by the Secretary of Commerce and Labor on this subject.

Mr. MACON. No; I have not.

Mr. GRAFF. He insists through quite extensive testimony on the subject that the present Assistant Secretary and the Secretary himself have been burdened with taking care of the appeals chiefly coming up from the bureaus having in charge the enforcement of the immigration laws and the Chinese-exclusion act—cases affecting deportation and the like—stating that there are some 10 or 15 cases of this kind coming up each day, and in some cases the record being quite voluminous.

Mr. MANN. My colleague from Illinois [Mr. GRAFF] is aware that these records are examined by the solicitor of the department, who practically passes upon them, and not the Secretary or the Assistant Secretary.

Mr. GRAFF. Mr. Nagel himself says that they do pass on these cases on appeal by giving them personal attention. On page 122 he says:

Those who are interested in the cases expect personal attention, when we have as many as 10, 15, and 20 records a day, and they require a great deal of time and receive, I think I might say, much more attention than is popularly believed.

Mr. MANN. They give them attention in a very casual degree I judge. They are passed upon first, or used to be, and ought to be by the solicitor of the department.

Mr. KAHN. Will the gentleman yield?

Mr. MANN. I have not the floor.

Mr. GRAFF. Then, in addition to that, he winds up on page 223 of the hearings, in reply to a question by Mr. GILLET, by stating that this proposed additional assistant secretary is necessary, according to his notions, chiefly for the purpose of taking the burden of the consideration of these appeal cases off the present Assistant Secretary and the Secretary himself.

Mr. KAHN. There is no doubt but that a large percentage of the cases that come up under the Chinese-exclusion laws are appealed to the Secretary, and I know from personal knowledge that the Secretary does pass upon nearly all of them.

Mr. BUTLER. Mr. Chairman, I have made some observation of this, and I would inquire if the Secretary does the work? The solicitor does the work, does he not?

Mr. KAHN. The solicitor does the work.

Mr. BUTLER. He is the gentleman to whom I have gone.

Mr. KAHN. The office of the Bureau of Immigration does the work originally, but in the final analysis the case invariably gets into the office of the Secretary himself, and the latter passes upon the case in the last instance.

Mr. MANN. There is no reason in the world why we should create an assistant secretary up there to pass upon this work when the solicitor is amply able to do it in the solicitor's office.

Mr. KAHN. Of course, I am not speaking—

Mr. MANN. Theoretically, the President of the United States passes upon applications for pardons, and of course passes upon every one of them represented to him—

Mr. KAHN. He does.

Mr. MANN. And yet, practically, we know he can not give personal consideration to the aspects of the case except as those aspects are ordinarily presented to him by the pardons attorney.

Mr. KAHN. Yet the pardons attorney recently told me that all of those cases that go to the President are really read by the President, and I dare say the same will be found to be the rule with the Chinese-exclusion cases.

Mr. MACON. Mr. Chairman, I notice under the head of the Department of Commerce and Labor that they have a great many clerks, and so on, with an increased appropriation of something over \$22,000, and I am inclined to think that they can find, out of that great number of clerks and assistants, somebody to help look over these matters without the assistance of an assistant secretary at \$5,000 a year, so I insist upon my point of order.

The CHAIRMAN. The increase of appropriation indicated in the point of order made by the gentleman from Arkansas is

clearly not authorized by existing law, and the point of order is sustained.

Mr. GRAFF. I understood the Chair to sustain the point of order.

The CHAIRMAN. The Chair sustained the point of order.

Mr. GRAFF. I move to insert "one assistant secretary, at \$5,000," in lieu of the portion of the bill which is stricken out on the point of order.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 151, line 10, after the word "dollars," insert "one assistant secretary, at \$5,000."

The question was taken, and the amendment was agreed to.

Mr. BENNET of New York. Mr. Chairman, I move to strike out the last word for the purpose of stating that I think the gentleman from Illinois is in error in reference to the way in which these immigration cases are passed upon. Coming from a city which receives nearly 80 per cent of the immigration that comes in, therefore I am familiar—

Mr. MANN. I beg the gentleman's pardon, I did not say how they are passed upon now. I said how they were passed upon formerly and how they ought to be passed up now. I do not know how they are passed upon now. I am very certain they ought to be examined by somebody in the office, but we ought not to create an assistant secretary to pass upon such matters.

Mr. BENNET of New York. I want to disagree with the gentleman from Illinois that the present method ought to be changed, so far as the assistant secretary is concerned. Each of these cases concerns the future of at least one individual and frequently of an entire family. They deserve the attention of some man high in official position, and they are receiving the attention to-day either of the Secretary himself or the Assistant Secretary.

The weak point in the Immigration Service is the board of special inquiry back at the port where the men, in my judgment, do not receive high enough pay to get the kind of men who ought to be there, and the Secretary and his assistant, exercising a discretion, also which the board of special inquiry has not, reverse substantially 40 per cent of the cases which come up to them. If it were not for the careful scrutiny given these cases, 40 per cent of the people who are detained would be sent back when, in the discretion or judgment of a high official, they ought to come in.

Mr. SABATH. May I ask the gentleman a question?

Mr. BENNET of New York. Certainly.

Mr. SABATH. Is not the reason that so many of these cases are reversed due to the fact that these boards are improperly selected and appointed?

Mr. BENNET of New York. I have just said the weak point of our system is the board of special inquiry, and the opinion of the Secretary and Assistant Secretary is needed. I know personally that the present Assistant Secretary, a highly capable young man and a fellow townsman of the gentleman from Illinois—

Mr. MANN. A very competent man, as I stated a while ago.

Mr. BENNET of New York (continuing). Is absolutely overburdened with the work.

Mr. MANN. If that be the case, why should he have the burden of signing or revising all communications which are taken over to him from the Chief of the Bureau of Navigation about navigation matters and from the Chief of the Bureau of Lighthouses about lighthouse matters, transferred over by messenger or mail at a considerable distance, because the offices are not in the same building, and have him examine and send out all those letters?

Mr. BENNET of New York. I will answer the gentleman in two ways, and if my defenses are inconsistent, it is allowable under the law of my State. In the first place, he does not sign all the letters that come from those places. I write to and receive replies from the head of the Bureau of Immigration and from Mr. Chamberlain, in the Bureau of Navigation, and that is about as far as I go in the Department of Commerce and Labor. I agree with the gentleman that he signs more letters than he ought to sign, but the reason, the gentleman will find, is in the Executive order of the President under date of November 26, 1909.

Mr. MANN. That could be changed to-morrow by another Executive order.

Mr. BENNET of New York. The Executive order compels him to do it.

Mr. MANN. If he is compelled to do it, how does the gentleman happen to get letters that do not conform to the order?

Mr. BENNET of New York. He is compelled to sign the letters that he does. I do not know what waiver has been made,

as the order permits in the cases where I receive answers. I do know that the Assistant Secretary is overburdened with work. It is a big department, as the gentleman knows, and an important one, with one assistant secretary. I think the War Department has one also.

Mr. MANN. There are only three departments in the Government that have more than one chief, and one is the Post Office Department, one is the Treasury Department, and one is the State Department. The Treasury Department needs them, and the two other departments are top heavy with such officials.

Mr. BENNET of New York. And, of course, the Attorney General, who has such assistants.

Mr. MANN. He is the head of the office. He has no assistants in the sense of one being an assistant secretary, but he ought to have in order to do the administrative work and to let him do the legal work.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BENNET of New York. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BENNET of New York. There is no question in my mind that, competent as the Assistant Secretary is, and as competent as the Secretary is—because he is one of the best men in public life, in my judgment—the work of this department could be done more efficiently if there was another assistant head to take from the shoulders of the two that are there now some of the work which they do.

Mr. MANN. In my judgment, it could be done more economically and efficiently if they would quit directing letters to B Street and Louisiana Avenue or to B Street and Pennsylvania Avenue, to be transferred to the gentleman from New York [Mr. BENNET].

Mr. BENNET of New York. That may be; and that may be referred to the President of the United States, who issued the order—

Mr. MANN. I do not think the President's order covers it at all. If it did, it ought to be revoked.

Mr. BENNET of New York. I agree with the gentleman that it ought to be revoked.

Mr. MANN. Mr. Chairman, last year I desired to have the opinion of one of the officials of a bureau in the Treasury Department before the Committee on Interstate and Foreign Commerce. I telephoned him and asked him to come to the committee. A little after he telephoned me that he had been to the Assistant Secretary, and he said to me: "I wish you would talk with the Assistant Secretary." I talked with that gentleman over the phone, and he said that the Secretary was not down that day and he did not know whether the Secretary wanted this official to come before my committee or not. I said: "I can settle that very quickly, because the House meets at 12 o'clock, and if he is not here at that time I will introduce a resolution directing him to appear at once, and I think I can get unanimous consent to pass it. If it gets to a point that a committee of the House can not get the attendance of one of the officers of the Government to give a committee information without first praying humbly on your knees to the Secretary of a department, I want to know it." The gentleman appeared, I may say.

Mr. BENNET of New York. That was covered, though, I will say to the gentleman, absolutely by the Executive order to which I have referred.

Mr. MANN. Then, the sooner we do not ratify it the better. That is the reason I am objecting to this provision which undertakes to ratify it.

Mr. BENNET of New York. This does not endeavor to ratify it in any way. It simply gives needed relief to the department.

Mr. MANN. I do not think the President's order covers that at all.

Mr. BENNET of New York. Mr. Chairman, I ask unanimous consent to insert the President's order in the Record, so that the House can judge for itself.

The CHAIRMAN. The gentleman from New York asks unanimous consent to insert the President's order, referred to, in the Record. Is there objection?

There was no objection.

The following is the order referred to:

#### EXECUTIVE ORDER.

It is hereby ordered that no bureau, office, or division chief, or subordinate in any department of the Government, and no officer of the Army or Navy or Marine Corps stationed in Washington, shall apply to either House of Congress, or to any committee of either House of Congress, or to any Member of Congress for legislation, or for appropriations, or for congressional action of any kind, except with the consent and knowledge of the head of the department; nor shall any such per-



son respond to any request for information from either House of Congress, or any committee of either House of Congress, or any Member of Congress, except through, or as authorized by, the head of his department.

WM. H. TAFT.

THE WHITE HOUSE, November 26, 1909.

The Clerk read as follows:

Bureau of Corporations: Commissioner of Corporations, \$5,000; deputy commissioner, \$3,500; chief clerk, \$2,500; clerk to commissioner, \$1,800; 4 clerks of class 4; 4 clerks of class 3; 6 clerks of class 2; 10 clerks of class 1; 15 clerks, at \$1,000 each; 16 copyists; messenger, assistant messenger; 3 messenger boys, at \$480 each; in all, \$69,200.

Mr. GILLETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 153, line 11, strike out the word "sixty-nine" and insert in lieu thereof the word "seventy-nine."

Mr. GILLETT. This is merely to correct an error in printing. The question was taken, and the amendment was agreed to.

Mr. GILLETT. Mr. Chairman, I would like now, lest I forget it hereafter, to ask unanimous consent that the Clerk correct the totals in the various paragraphs because of the amendments.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the Clerk may correct the totals at the end of the various paragraphs. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

For compensation and per diem, to be fixed by the Secretary of Commerce and Labor, of special attorneys, special examiners, and special agents, for the purpose of carrying on the work of said bureau, as provided by the act approved February 14, 1903, entitled "An act to establish the Department of Commerce and Labor," the per diem to be, subject to such rules and regulations as the Secretary of Commerce and Labor may prescribe, in lieu of subsistence, at a rate not exceeding \$4 per day to each of said special attorneys, special examiners, and special agents, and also of other officers and employees in the Bureau of Corporations while absent from their homes on duty outside of the District of Columbia, and for their actual necessary traveling expenses, including necessary sleeping-car fares; in all, \$175,000.

Mr. FOSTER of Illinois. Mr. Chairman, I observe in this paragraph the provision for per diem is \$4, and a little further on the per diem, on page 155, is \$3. I would like to inquire of the gentleman why there is a difference of a dollar in these two classes.

Mr. GILLETT. Well, because they are different classes of employees, and they are all traveling in places where expenses differ, the former being in the large cities and the latter being in the smaller towns. We are following the precedents of previous bills. I understand that was the reason it was originally so fixed. I do not suppose it is exact, but we jumped at it as best we could.

Mr. FOSTER of Illinois. How many of these special agents are employed?

Mr. GILLETT. I do not remember how many.

Mr. MANN. These are the agents connected, in the main, with the Bureau of Corporations, who make these investigations in connection with orders by Congress. The last one, I think, was on river and harbor improvements, or something of that sort.

Mr. FOSTER of Illinois. These special agents do that work?

Mr. MANN. These people that are covered in this appropriation do all that special investigation work.

Mr. COX of Indiana. How much of this sum was expended for per diem?

Mr. MANN. I do not remember that. I remember this provision because I had it put in.

Mr. FOSTER of Illinois. May I inquire from my colleague why the provision of this kind, on page 155, is different? Is there a difference in the character of the work of these agents?

Mr. MANN. Well, there is a very great difference. The men who go into these investigations under the first item go into cities like New York, Chicago, and elsewhere where they are sent to make investigations. Of course they are required to pay a much higher rate for hotel accommodations than in labor districts. Others go into districts where \$3 a day is much more, so far as maintenance is concerned, probably, than \$4. The usual custom of the Government is to pay men who go into the small country districts, where there are \$2.50 hotels, \$3 a day, but where they are required to go to the city districts \$4 a day, and in some cases \$4.50 a day; that is, this class of men employed in these investigations. That is what they do.

Mr. COX of Indiana. I move to strike out the last word. I never have been satisfied, myself, in reference to this question of per diem in our Post Office bill, giving certain classes of employees \$4 and other classes \$3. In fact, I have never been very highly struck on that per diem business. I think the whole

thing is wrong. I think they ought to be allowed, if anything at all, their actual expenses. I base my objection to per diem on the ground that it is an indirect way of increasing salaries, of which I do not approve.

Mr. MANN. Well, I may say whether it is per diem or actually expenses—and I am not defending the per diem proposition—the man who is away all the time and his actual expenses are paid, so far as his living is concerned, that is, paid by the Government, whereas if he lives at home he pays this money out of his own salary.

Mr. COX of Indiana. Now, there may be an increase of salary even if these individual expenses be paid, but I do not think there would be such a motive or incentive on the part of any individual to increase his salary who was compelled to pay out simply his actual expenses, as there is where the man is paid per diem.

I presume that these fellows who are drawing \$4 a day actually consume it by stopping at first-class, \$4-a-day hotels; but it is easily placing within reach of this class of men an opportunity to stop at \$2-a-day hotels, and report to their Government that they have expended \$4, and to that extent increase their salaries. I think the whole system is entirely wrong.

Mr. FOSTER of Illinois. Is it not a fact that assistant United States marshals, who travel from place to place in the discharge of their duties, are limited to a very small amount, and in many instances the Government compels them to put in a bill for "meals, 25 cents," and for taking a prisoner with them?

Mr. MANN. They get mileage.

Mr. FOSTER of Illinois. They get mileage, but they get expenses, too.

Mr. MANN. I gave a case last year where one marshal made a thousand or fifteen hundred dollars in one case.

Mr. FOSTER of Illinois. They get mileage in case they get their man, but they do not get mileage when they do not get him.

Mr. COX of Indiana. I want to ask somebody who knows, for some information about this. Can the gentleman from Illinois [Mr. MANN] or the gentleman in charge of this bill [Mr. GILLETT] inform the committee of the amount of this money that was appropriated last year, that was paid out for per diem, and the amount paid out for compensation?

Mr. GILLETT. We did not inquire this year. My recollection is that it was about half and half.

Mr. COX of Indiana. That is, about half paid out for per diem and about half for compensation?

Mr. GILLETT. That is my recollection. I may be wrong. We have not looked it up this year.

Mr. COX of Indiana. These gentlemen who get this per diem, I presume, are required to report to the Secretary of Commerce and Labor.

Mr. GILLETT. Oh, yes; it is all reported. I think there is probably more for compensation than for per diem.

Mr. MANN. There would be a good deal more for compensation than for per diem, because the per diem could not exceed \$1,200 a year.

Mr. COX of Indiana. In addition to the per diem I presume their railroad and sleeping-car fares are also paid by the Government.

Mr. GILLETT. Yes.

Mr. COX of Indiana. And this per diem in addition is simply for board?

Mr. MANN. Yes.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Bureau of Lighthouses: Commissioner, \$5,000; deputy commissioner, \$4,000; chief constructing engineers, \$4,000; superintendent of naval construction, \$3,000; chief clerk, \$2,400; clerk, \$2,000; 2 clerks of class 4; clerk of class 3; 2 clerks of class 2; 6 clerks of class 1; 5 clerks, at \$1,000 each; 7 clerks, at \$900 each; clerk, \$840; clerk, \$720; messenger; assistant messenger; 2 messenger boys, at \$480 each; assistant engineer, \$3,000; assistant engineer, \$2,400; assistant engineer, \$2,100; draftsman, \$1,800; draftsman, \$1,560; draftsman, \$1,440; draftsman, \$1,200; in all, \$64,480.

Mr. MANN. I move to strike out the last word. I should like to ask the gentleman whether he has before his committee information as to how much saving there is likely to be in the estimates by reason of the reorganization of the Lighthouse Service. Of course there is an increase in this paragraph because certain officials are carried here who were formerly paid out of lump-sum appropriations.

Mr. BARTLETT of Georgia. I did not catch the gentleman's question.

Mr. MANN. I asked the gentleman in charge of the bill if he could inform the House, from information before his com-

mittee, how much was likely to be saved to the Government by reason of the reorganization of the Lighthouse Service.

Mr. BARTLETT of Georgia. I have some information on this subject which has come to me by reason of my membership of the Committee on Interstate and Foreign Commerce of the House, and I have also some information on the subject obtained from the deputy commissioner.

Mr. MANN. I know the gentleman from Georgia is very well informed on this subject.

Mr. BARTLETT of Georgia. I am informed by the deputy commissioner, Mr. Conover, that since the passage of this act and the organization of the bureau under it, in the six months in which it has been in operation there has been saved to the Government over \$400,000, or will be if the proposed organization provided for in this bill is carried through. That is what I was informed some weeks ago. I have the testimony of the commissioner, Mr. Putnam, before the Appropriation Committee, in my hand, and while the exact amount does not distinctly appear, it does show a very great saving to the Government. I have been to the office of the deputy commissioner and gone over the figures with him, and that is my understanding from him that this new bureau has saved that amount of money to the Government.

Mr. MANN. Mr. Chairman, it is not often that I undertake to take any credit to myself—

Mr. BARTLETT of Georgia. I want the gentleman to do so, because he is entitled to it.

Mr. MANN. But this is an illustration of what might well be done in a good many branches of the service. They have not reached all of the economies yet in this service.

Mr. BARTLETT of Georgia. Not by any means.

Mr. MANN. But by the reorganization, so far, it is estimated, as I understand from the gentleman from Georgia, that there has been a saving of \$400,000 in six months. That is a large saving by reason of that reorganization, which means in the main not only the reorganization of the system, but the installation of a very competent head. There are some other branches of the service in which, if they could be reorganized by putting somebody else at the head of some of the divisions, it would be of great benefit to the Government. The bill for the reorganization of the Lighthouse Service met with substantial approval in this body, but was seriously criticized by some officials of the Government outside the service, and it remained for our committee in reporting the bill to do it, although even the Secretary of the department himself was of the opinion that the objection to the bill from other sources would prove so great that it would be impossible to get the legislation. But with the aid of the gentleman from Georgia and other members of our committee and of the House we did secure this legislation by some parliamentary proceedings that were fair, and it resulted in this reorganization, where they say we have now already saved nearly half a million dollars and where we are likely to save in the future a larger amount, either in cutting off the amount heretofore appropriated or in keeping down the amount which would otherwise be appropriated by reason of the increase in the service.

[The time of Mr. MANN having expired, by unanimous consent his time was extended five minutes.]

Mr. BARTLETT of Georgia. If the gentleman will pardon me, in his time, I will say that, being familiar with this legislation and following the lead of the gentleman from Illinois and aiding him all I could in making the reforms, I think he is justified in feeling great pride and extreme gratification in what he has done; and especially I want to say to the gentleman that all of us ought to feel gratified that we succeeded in providing for a deputy commissioner of the Lighthouse Board, and that the President was fortunate in filling the place with such an efficient, capable, and experienced man as we now have there; one who, by reason of his experience in this branch of the service of the Government, has been and will be of great service in accomplishing the reforms intended by this reorganization act.

I want to call the gentleman's attention to the fact that the bill which we passed is not what it ought to be in reference to the inspectors of the lighthouse districts, because it still permits Army and naval officers to fill these positions. That is done at great expense to the Government, whereas if we could by some means provide and regulate the inspectors of the lighthouse districts and grade their salaries according to the work they may do in the various districts, it would save the Government a large amount of money and dispense with the services of these high-paid officers of the Army and Navy.

Mr. MANN. Mr. Chairman, I agree with the gentleman from Georgia. Of course, the law that was passed will accomplish that in a short time.

Mr. BARTLETT of Georgia. The quicker it is done the more money the Government will save.

Mr. MANN. I apprehend that when we reach the appropriation that covers that, which will be in the sundry civil bill, that if they do not appropriate for it they will be willing to accept an amendment authorizing a general appropriation for the Lighthouse Service, to be expended as far as is necessary to pay civilian inspectors.

Mr. FOSTER of Illinois. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. FOSTER of Illinois. I am gratified at the statement made of the great saving of money, notwithstanding the opposition, as the gentleman said, by the head of the department—

Mr. MANN. We did not have any opposition from the head of the department.

Mr. FOSTER of Illinois. Well, opposition from outside parties. Now, what has the gentleman to say about the improvement of the service under the new deal?

Mr. MANN. I think it is generally admitted that the service is better now than it was before.

Mr. BARTLETT of Georgia. Mr. Chairman, I want to say this with reference to this new bureau: There was some considerable opposition to its establishment, growing out of the fact that for years it had been under the management and control of Naval and Army officers. It was a reform that was needed, and one that, in my judgment, will very early demonstrate the wisdom of the author of the bill, the gentleman from Illinois [Mr. MANN], in drafting it, and the wisdom of Congress in enacting that sort of legislation. The bill as it originally passed the House did not provide for a deputy commissioner. As the bill came back from the committee of conference, of which I was a member, it contained a provision for a deputy commissioner—a provision for which I am somewhat responsible. Anyone who will investigate the work that has been done by the commissioner and the deputy commissioner, the reorganization that has been made and that is proposed, the useless employees whose services have been dispensed with, and that all this has been done—the service improved—and that in addition a large amount of money has been saved to the Government already by this one bureau, and methods that have been adopted which will greatly improve the service, he will be satisfied that it was not only a wise piece of legislation, but one that was necessary and bound to enhance the efficiency of this great branch of the Government service.

Now, having said that much, I desire to ask the gentleman from Massachusetts [Mr. GILLETT] in charge of the bill where he gets the law to fix the salary of the chief clerk at \$2,400. The bill which we enacted into law provides for the establishment of a chief clerk, but it does not fix the salary. How does the gentleman arrive at the salary of \$2,400, when the chief clerk of the Department of Commerce and Labor receives only \$3,000?

Mr. GILLETT. That was the old salary of the clerk of the department, I think.

Mr. BARTLETT of Georgia. It was called the Lighthouse Board.

Mr. GILLETT. That is what I mean. I think this is the same salary that he had.

Mr. BARTLETT of Georgia. That has been dispensed with, and we now have a commissioner and a deputy commissioner.

Mr. GILLETT. I do not catch the gentleman's question.

Mr. BARTLETT of Georgia. The Lighthouse Board has been abolished.

Mr. GILLETT. Yes.

Mr. BARTLETT of Georgia. And we have now a Commissioner of Lighthouses and a Deputy Commissioner of Lighthouses.

Mr. GILLETT. Yes.

Mr. BARTLETT of Georgia. As originally drafted there was no deputy commissioner. It was proposed that the chief clerk should discharge the duties of the commissioner in his absence. Does the gentleman think it is necessary to have a chief clerk in this bureau at the salary that is fixed?

Mr. GILLETT. We followed the organization of the bureau, I think.

Mr. BARTLETT of Georgia. I have the law of the organization of the bureau before me, and it does not fix the salary.

Mr. GILLETT. It fixes the office, not the salary, and we simply followed the salary of the old board.

Mr. BARTLETT of Georgia. Does not the gentleman think that is a pretty good salary for this office?

Mr. GILLETT. Yes; but still that is about what they generally get.

Mr. BARTLETT of Georgia. The salary was not fixed by law.



Mr. GILLET. No; there was no salary fixed by law. Two thousand four hundred dollars is about the average bureau salary, I think.

Mr. BARTLETT of Georgia. I know quite a number of chief clerks who do not receive that amount of salary. The chief clerk for the Department of Commerce and Labor gets only \$3,000.

Mr. GILLET. At the next page the chief clerk of the Census Bureau gets \$3,000.

Mr. BARTLETT of Georgia. Oh, we understand why that is, and I think that is too much now, or soon will be.

[By unanimous consent the time of Mr. BARTLETT of Georgia was extended for five minutes.]

Mr. GILLET. That seems to be about the usual salary.

Mr. BARTLETT of Georgia. Would the gentleman object to having that salary reduced to \$2,000? In view of the fact of the establishment of this bureau, in view of the fact that we have a commissioner and a deputy commissioner, very efficient officers, and the fact that the deputy commissioner, as I know to be true, has control of almost all of the work the chief clerk does in the other department, does not the gentleman think the salary of \$2,400 is rather a large sum and too much for the work required of this chief clerk?

Mr. GILLET. This is a new question because we fixed it as recommended, but, for instance, take the Bureau of Corporations. This bureau has an expenditure of about \$4,000,000 or \$5,000,000, and the Bureau of Corporations has a \$2,500 chief clerk. I think it is below, rather than above, the average of the bureaus, and, inasmuch as it was estimated for at this rate and he is now getting that, I should be sorry to reduce it.

Mr. MANN. I hope the gentleman will not ask for that.

Mr. BARTLETT of Georgia. I will not do that if the gentleman from Illinois—

Mr. MANN. I consulted the other day with the commissioner about it and he thought it ought to be left as it is.

Mr. BARTLETT of Georgia. I think the office is useless myself, but if the gentleman from Illinois thinks it is necessary and believes it ought to be retained—

Mr. MANN. I believe it is proper.

Mr. BARTLETT of Georgia. I yield to him about it.

Mr. GILLET. Mr. Chairman, I would like to say a word as to the suggestion of the gentleman from Illinois in regard to the Lighthouse Service. I want to say, from our consideration in the committee, we thought the change they made last year an exceedingly valuable and useful change. The main appropriation for the new organization comes under the sundry civil bill, and where there was an appropriation last year of over \$5,000,000 it will be reduced this year by about half a million dollars, which is the first fruits, I suppose, of this reorganization. Consequently, as far as the figures coming before our committee indicate, it was an exceedingly valuable and useful change.

The CHAIRMAN. Without objection, the amendment will be considered as withdrawn.

There was no objection.

The Clerk read as follows:

Census Office: For salaries, including the chief clerk at \$3,000 per annum, and necessary expenses for preparing for, taking, compiling, and publishing the Thirteenth Census of the United States, rent of office quarters, for carrying on during the decennial census period all other census work authorized and directed by law, including construction and repair of card-punching, card-sorting, and card-tabulating machinery, and technical and mechanical services in connection therewith, purchase, rental, construction, repair, and exchange of mechanical appliances, to continue available until June 30, 1912, \$1,000,000 of which sum shall be immediately available, \$2,500,000.

Mr. BARTLETT of Georgia. Mr. Chairman, I move to strike out the last word. May I ask the gentleman from Massachusetts, in charge of the bill, if the salary for the chief clerk for the Bureau of the Census at \$3,000 is fixed by statute, by the act authorizing the taking of the census?

Mr. GILLET. No; I do not think it is fixed by statute. Yes; the statute fixes it at \$2,500, but in the House last year it was put in at \$3,000.

Mr. BARTLETT of Georgia. Does the gentleman think he is accurate about that?

Mr. GILLET. That is my recollection.

Mr. BARTLETT of Georgia. The reason I ask about that is that the work is beginning now to diminish, and the act, as I recall it—I thought I had it before me, but I have mislaid it—provides for the chief clerk's salary at \$3,000 during the time of taking the census, but the evident intention was to reduce it when the pressure of the work was over. Now, while that amount might be a reasonable compensation and not a very extravagant compensation during the time when they had to organize the force and distribute the work, if the chief clerk performed the duties prescribed by the statute, does not the

gentleman think, now that the department has gotten through with a large part of that work and employees who were employed in the bureau to do the work are beginning to be discharged and only those kept who may be required permanently, does not the gentleman think that is too large a salary for a chief clerk, when the chief clerk of the Department of Commerce and Labor, who has charge of all the work of a chief for that department, only receives \$3,000?

Mr. GILLET. Mr. Chairman, it is a pretty high salary, but it was put in last year, as I say, on the floor, with the idea that it should simply continue during the active work of the census and when that census was an exceedingly large work, and when the work materially decreased then the salary should be reduced; but I understand, although the outside work is completed, yet the work in the bureau will during the next year still be large.

Mr. BARTLETT of Georgia. Does not the gentleman think it rather disproportionate for the chief clerk of the Department of Commerce and Labor to receive \$3,000 and the chief clerk of one of the bureaus of that department to receive \$3,000?

Mr. GILLET. The gentleman realizes that while the census taking is in active operation it is bigger than all the rest of the department together.

Mr. BARTLETT of Georgia. I understand all that; it has been for the past six or nine months very active, and a great deal of work has been done.

Mr. GILLET. And for another year it probably will be.

Mr. BARTLETT of Georgia. I think a great deal still remains to be done, but the work now will necessarily diminish and fewer employees be required.

Mr. GILLET. Oh, yes; it is beginning to fall off.

Mr. BARTLETT of Georgia. It occurs to me to insist that it is too large a salary, and that the extraordinary work of the chief clerk of the Bureau of the Census has about ended, and that we ought to cut it down somewhat, so as not to be out of all proportion with all the other chief clerks of the other departments and bureaus. Very few get \$3,000.

Mr. GILLET. This bureau is out of proportion to all others. It is very much larger than any other bureau.

Mr. BARTLETT of Georgia. I understand that.

Mr. GILLET. But we have appropriated in this bill, the gentleman will recognize, two million and a half of dollars for the office work for the coming year. That shows that it is still to be—

Mr. BARTLETT of Georgia. We appropriated ten or twelve million dollars for last year.

Mr. GILLET. Not simply for the office force. That was for all the taking of the census.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. BARTLETT] has expired.

Mr. BARTLETT of Georgia. Mr. Chairman, I move to strike out the words "three thousand" and insert the words "two thousand five hundred."

The CHAIRMAN. The gentleman from Georgia offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 157, line 5, strike out "three thousand" and insert "two thousand five hundred."

Mr. MURPHY. Mr. Chairman, I want to reserve a point of order on that.

Mr. BARTLETT of Georgia. Mr. Chairman, I do not desire to say anything further in that connection. It occurs to me that this salary is not fixed by law, but is subject to the legislative will. The amount of \$3,000 will continue and be paid until July 1 next. If we reduce the salary to \$2,500, it will not begin until after the 1st of next July. We have now had six months of the old salary of \$3,000, and on the 1st day of July he will begin to draw, if this amendment is carried, \$2,500 per year.

Mr. MANN. Will the gentleman yield for a suggestion?

Mr. BARTLETT of Georgia. Certainly.

Mr. MANN. Last year, if the gentleman will recollect, there was reported to the House a bill to increase the salary of the chief clerk of the Census Office permanently.

Mr. BARTLETT of Georgia. Not the chief clerk; the appointment clerk.

Mr. MANN. Well, this clerk.

Mr. BARTLETT of Georgia. I thought it was the appointment clerk and disbursing officer.

Mr. MANN. My recollection is that it was this clerk. Did not the gentleman from Missouri [Mr. MURPHY] have a bill to increase his salary?

Mr. MURPHY. Yes; it is on the calendar now.

Mr. MANN. A bill was reported into the House last year to increase this salary from \$2,500 to \$3,000 permanently. There was a discussion in the House, as I recall, and it was agreed among all Members here, practically, that they would not pass

the bill making a permanent increase in the clerk's salary, but that it might be increased in the ordinary appropriation bill during the period of service of maybe two or three years, and then go back to the \$2,500, following the example of the last census, and it seems to me that really in good faith we ought to let it go at that for another year.

Mr. BARTLETT of Georgia. It seems to me as if we were going to let it go until July 1, and the effect of this amendment is simply to reduce it after July 1.

Mr. MANN. But it is true, also, that the man did not commence to get the salary until July 1 last, and that the thought at that time was, as I recall it, that he might have, probably, an increase in salary for two or three years. I do not know how the Census Office runs, because I guess I am persona non grata at the Census Office.

Mr. BARTLETT of Georgia. The work will be diminished, and we have given him an increased salary for the increased work, and we have given him more than any other chief clerk in the Department of Commerce and Labor.

Mr. MANN. The increased work is not over yet. The gentleman will remember, and I get my information from the action of the census of 1900, that the work continued for a long time after the census itself was taken. The work of compilation and publication yet remains, and that is where most of the work comes in as far as this office is concerned.

Mr. BARTLETT of Georgia. Well, Mr. Chairman, I do not know that I am a party to any such agreement. Of course, if I was, either impliedly or expressly, I will keep it.

Mr. MANN. I will say to the gentleman that I was not at the time in favor of the bill to increase the salary permanently or in favor of a temporary increase, but I think it was the understanding at the time, and that other bill has never been pressed.

The Census Committee was recently passed on the call of the committees, and that bill was not called up, although on the calendar.

Mr. HEFLIN. I ask the gentleman from Georgia to withdraw his amendment.

Mr. BARTLETT of Georgia. I will not press the amendment now, but if it is my good fortune that I shall be present when the legislative, executive, and judicial appropriation bill is considered again, I want to give notice that I will insist that if this was an express or implied understanding it can not extend any further; and in the consideration of the next legislative, executive, and judicial appropriation bill, so far as I am concerned, if I can reduce the salary to the amount fixed by law I shall do so. I do not want to violate any understanding the House had, nor do I want to seem penurious in the work of cutting down salaries. I made this motion because I thought the time had come when it ought to be made. I did not think it proper to have standing in the same appropriation bill a chief clerk of one of the bureaus receiving a higher salary than the chief clerk of the department itself. I will not press the amendment, however, at this time.

Mr. MANN. I move to strike out the last word. I suggest to the gentleman in charge of this bill that we have had rather an exhaustive day's work and spent \$45,000,000. In view of the doings that are to be had at the other end of the Avenue, it is getting a little late.

Mr. GILLET. I move that the committee do now rise. The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURKE of Pennsylvania, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the legislative, executive, and judicial appropriation bill (H. R. 29360), and had come to no resolution thereon.

#### WITHDRAWAL OF PAPERS.

Mr. JAMES, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of L. B. Edmonds, Sixtieth Congress, no adverse report having been made thereon.

#### EULOGIES ON HON. W. P. BROWNLOW.

Mr. MASSEY. Mr. Speaker, I offer the following order (No. 16).

The Clerk read as follows:

Ordered, That Sunday, the 19th day of February, 1911, at 12 o'clock noon, be set apart for addresses on the life, character, and public services of the Hon. W. P. BROWNLOW, late a Representative from the State of Tennessee.

The order was agreed to.

#### INCOME TAX.

The SPEAKER laid before the House the following communication from the governor of Texas, which was read.

The SPEAKER. There is a joint resolution accompanying the communication from the governor of Texas referring to the

proposed sixteenth amendment to the Constitution of the United States. As the Chair recollects, the usual course is that such communications lie on the table. Without objection, it will be printed in the RECORD. The Chair hears no objection.

The letter and accompanying copy of joint resolution are as follows:

EXECUTIVE OFFICE, STATE OF TEXAS,  
Austin, January 3, 1911.

Hon. JOSEPH G. CANNON,  
Speaker of the House of Representatives,  
Washington, D. C.

SIR: Pursuant to senate joint resolution No. 1, adopted by the thirty-first legislature of the State of Texas at its third called session and approved by me as governor on August 17, 1910, ratifying the proposed sixteenth amendment to the Constitution of the United States of America, I am inclosing you herewith copy of said resolution.

With assurances of my highest esteem, I am,  
Very respectfully,

T. M. CAMPBELL, Governor of Texas.

#### Senate joint resolution 1.

Joint resolution ratifying the sixteenth amendment to the Constitution of the United States of America.

Whereas both Houses of the Sixty-first Congress of the United States of America, at its first session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to wit:

"A joint resolution proposing an amendment to the Constitution of the United States.

"Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution, namely: "ARTICLE XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States and without regard to any census or enumeration."

Therefore be it

Resolved by the senate and house of representatives of the State of Texas, That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the Legislature of the State of Texas.

That certified copies of this preamble and joint resolution be forwarded by the governor of this State to the President of the United States, Secretary of State of the United States, to the presiding officer of the United States Senate, and to the Speaker of the United States House of Representatives.

D. M. ALEXANDER,  
President pro tempore of the Senate.  
JOHN MARSHALL,  
Speaker House of Representatives.

Approved August 17, 1910.

T. M. CAMPBELL, Governor.

I hereby certify that senate joint resolution No. 1 passed the senate August 4, 1910, by the following vote—ayes 28, nays 1.

CLYDE D. SMITH,  
Secretary of the Senate.

I hereby certify that senate joint resolution No. 1 passed the house August 16, 1910, by the following vote—ayes 101, nays 1.

BOB BARKER,  
Chief Clerk House of Representatives.

Received in the executive office this 17th day of August, A. D. 1910, at 10 o'clock and 19 minutes a. m.

J. R. BOWMAN, Private Secretary.

Received in department of state this 17th day of August, A. D. 1910, at 10 o'clock and 30 minutes a. m.

W. B. TOWNSEND, Secretary of State.

#### THE STATE OF TEXAS, Department of State:

I, W. B. Townsend, secretary of state of the State of Texas, do hereby certify that the attached and foregoing is a true and correct copy of senate joint resolution No. 1, a joint resolution ratifying the sixteenth amendment to the Constitution of the United States of America, proposed at the first session of the Sixty-first Congress of the United States, with the indorsements thereon, passed by the thirty-first legislature of the State of Texas at its session, convened in the city of Austin, Tex., on the 19th day of July, A. D. 1910, as said resolution appears on file in this department.

In testimony whereof I have hereunto signed my name officially and caused to be impressed hereon the seal of State, at my office in the city of Austin, Tex., on this the 31st day of December, A. D. 1910.

[SEAL.] W. B. TOWNSEND, Secretary of State.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 6867. An act to authorize the city of Sturgis, Mich., to construct a dam across the St. Joseph River;

H. R. 24786. An act to refund certain tonnage taxes and light dues; and

H. R. 25775. An act to authorize the Great Northern Development Co. to construct a dam across the Mississippi River from a point in Hennepin County to a point in Anoka County, Minn.

#### ADJOURNMENT.

Mr. GILLET. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 50 minutes p. m.) the House adjourned until Wednesday, January 11, 1911, at 12 o'clock m.



## EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting reports of delinquencies in accounts of officers for the fiscal year ended June 30, 1910 (H. Doc. No. 1275); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

2. A letter from Hamilton, Colbert, Yerkes & Hamilton, transmitting the report of the Georgetown Barge, Dock, Elevator & Railway Co. up to and including November 30, 1910 (S. Doc. No. 733); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Zippel Bay, Lake of the Woods, Minn. (H. Doc. No. 1276); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HUBBARD of West Virginia, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 17848) to authorize the Virginia Iron, Coal & Coke Co. to build a dam across the New River near Foster Falls, Wythe County, Va., reported the same with amendment, accompanied by a report (No. 1877), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 26411) authorizing the Ivanhoe Furnace Corporation, of Ivanhoe, Wythe County, Va., to erect a dam across New River, reported the same with amendment, accompanied by a report (No. 1878), which said bill and report were referred to the House Calendar.

Mr. RICHARDSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 27292) to authorize the construction, maintenance, and operation of a bridge across the Tombigbee River near Iron Wood Bluff, in Itawamba County, Miss., reported the same without amendment, accompanied by a report (No. 1879), which said bill and report were referred to the House Calendar.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 25621) granting a pension to Laura M. Keyes; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 27992) granting an increase of pension to Phillip Wimmer; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 28578) granting an increase of pension to William Harman; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PARKER: A bill (H. R. 31063) permitting chief office deputy United States marshals to act as disbursing officers for their principals in cases of emergency; to the Committee on the Judiciary.

By Mr. TILSON: A bill (H. R. 31064) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States;" to the Committee on the Judiciary.

By Mr. YOUNG of Michigan: A bill (H. R. 31065) providing for the purchase of a site and the erection of a public building thereon at Houghton, in the State of Michigan; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 31066) to authorize the Secretary of Commerce and Labor to purchase certain lands for lighthouse purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COVINGTON: A bill (H. R. 31067) to provide a method for the determination and adjustment of claims arising out of personal injuries to employees of the Isthmian Canal Commission and for the payment of such claims; to the Committee on Interstate and Foreign Commerce.

By Mr. WICKERSHAM: A bill (H. R. 31068) to modify and amend the mining laws of the United States in their applica-

tion to the Territory of Alaska, and for other purposes; to the Committee on the Territories.

By Mr. KELHER: A bill (H. R. 31069) to provide the rate of pay for substitute letter carriers in post offices of the first and second classes; to the Committee on the Post Office and Post Roads.

By Mr. HULL of Iowa: A bill (H. R. 31070) to repeal an act entitled "An act to authorize the Natchez Electric Street Railway & Power Co. to construct and operate an electric railway along the national cemetery roadway at Natchez, Miss.;" to the Committee on Military Affairs.

Also, a bill (H. R. 31071) to repeal an act entitled "An act to authorize George T. Houston and Frank B. Houston to construct and operate an electric railway over the national cemetery road at Vicksburg, Miss.;" to the Committee on Military Affairs.

By Mr. HEFLIN: A bill (H. R. 31072) to secure fair jury trials in criminal cases in the United States district and circuit courts; to the Committee on the Judiciary.

Also, a bill (H. R. 31073) providing that agents be sent into the South American Republics and into China and Japan for the purpose of inquiring into our trade relations with these countries and urging the use of American cotton goods; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAIG: A bill (H. R. 31074) making appropriations for irrigation investigations and experiments in the humid regions of the United States; to the Committee on Agriculture.

By Mr. TAYLOR of Colorado: A bill (H. R. 31075) to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of diseases of potatoes known as black scab and wart disease, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 31076) for the establishment of a board for the protection of children and animals; to the Committee on the Judiciary.

Also, a bill (H. R. 31077) to prevent desertion and abandonment of families and providing a penalty therefor; to the Committee on the Judiciary.

Also, a bill (H. R. 31078) to amend section 2320 of the Revised Statutes of the United States; to the Committee on Mines and Mining.

By Mr. AUSTIN: Resolution (H. Res. 894) authorizing increase of salaries of superintendent of press gallery and messenger; to the Committee on Accounts.

By Mr. GRIEST: Joint resolution (H. J. Res. 263) creating a commission to consider and report upon a plan for the promotion of universal peace among nations by commemorating the one hundredth anniversary of the signing of the treaty of Ghent; to the Committee on Foreign Affairs.

By Mr. SMITH of Iowa: Joint resolution (H. J. Res. 264) relating to amendments to revenue bills; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 31079) for the relief of the legal representatives of Harvey W. Lathrop and James W. Lathrop, deceased; to the Committee on War Claims.

By Mr. ANDERSON: A bill (H. R. 31080) granting an increase of pension to John F. Stallsmith; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 31081) to remove the charge of desertion standing against Alexander English; to the Committee on Military Affairs.

By Mr. BARCHFELD: A bill (H. R. 31082) granting an increase of pension to Frederick B. Lewis; to the Committee on Invalid Pensions.

By Mr. BENNET of New York: A bill (H. R. 31083) for the relief of Catherine A. Fox; to the Committee on Claims.

Also, a bill (H. R. 31084) for the relief of Julius L. Bullard; to the Committee on Military Affairs.

By Mr. BOEHNE: A bill (H. R. 31085) granting an increase of pension to James R. Wise; to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 31086) granting an increase of pension to Milton Buchanan; to the Committee on Invalid Pensions.

By Mr. CALDER: A bill (H. R. 31087) for the relief of the legal representatives of John Gillin; to the Committee on War Claims.

By Mr. CAMERON: A bill (H. R. 31088) to authorize and empower the town of Glendale, Maricopa County, Arizona Territory, to issue its bonds in the sum of \$10,000, for the purpose of

providing \$8,000 for the improvement of its streets and \$2,000 for the purchase of an apparatus for extinguishing fires; to the Committee on the Territories.

By Mr. CANTRILL: A bill (H. R. 31089) granting an increase of pension to Florence Chinn; to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 31090) granting an increase of pension to Andrew P. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 31091) granting an honorable discharge to Robert F. Hamilton; to the Committee on Military Affairs.

Also, a bill (H. R. 31092) granting an increase of pension to Marcellus M. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 31093) for the relief of Stephen Arnold Ritchey; to the Committee on War Claims.

By Mr. CLARK of Missouri: A bill (H. R. 31094) granting an increase of pension to William F. Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31095) granting an increase of pension to William A. Melon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31096) granting a pension to Rachel Pearson; to the Committee on Invalid Pensions.

By Mr. COCKS of New York: A bill (H. R. 31097) granting an increase of pension to Moses R. Allen; to the Committee on Invalid Pensions.

By Mr. COWLES: A bill (H. R. 31098) granting an increase of pension to John F. Pardue; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31099) granting an increase of pension to Vickery Wyatt; to the Committee on Invalid Pensions.

By Mr. CROW: A bill (H. R. 31100) granting a pension to Thomas Fulkerson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31101) granting an increase of pension to Oberon Payne; to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 31102) to carry into effect the findings of the Court of Claims in the claim of the legal representatives of Gallus Kerchner, deceased; to the Committee on Claims.

By Mr. DENT: A bill (H. R. 31103) for the relief of George P. Heard; to the Committee on Military Affairs.

By Mr. DRAPER: A bill (H. R. 31104) referring to the Court of Claims for adjudication and determination the claims of the widow and family of Marcus P. Norton and the heirs at law of others; to the Committee on Claims.

Also, a bill (H. R. 31105) granting an increase of pension to John T. Breeson; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 31106) for the relief of Ten Eyck De Witt Veeder, commodore on the retired list of the United States Navy; to the Committee on Naval Affairs.

By Mr. GILL of Missouri: A bill (H. R. 31107) granting an increase of pension to Patrick O'Brien; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 31108) granting an increase of pension to Marcella Rowan; to the Committee on Invalid Pensions.

By Mr. GRAFF: A bill (H. R. 31109) to correct the military record of Capt. Sylvester G. Parker; to the Committee on Military Affairs.

By Mr. GREGG: A bill (H. R. 31110) for the relief of Robert C. McManus, administrator of the estate of R. O. W. McManus, deceased; to the Committee on War Claims.

By Mr. HAMMOND: A bill (H. R. 31111) granting a pension to Charles W. W. Dow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31112) granting a pension to I. G. Scott; to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 31113) granting an increase of pension to William H. Mowder; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 31114) granting an increase of pension to Franklin Comstock; to the Committee on Invalid Pensions.

By Mr. HITCHCOCK: A bill (H. R. 31115) granting an increase of pension to James Tompach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31116) granting an increase of pension to Thomas M. Stuart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31117) granting an increase of pension to William Morrow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31118) granting an increase of pension to Hillon L. Mead; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31119) granting an increase of pension to Milton I. Woodard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31120) granting an increase of pension to Benjamin P. Goddard; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Ohio: A bill (H. R. 31121) granting a pension to Annie Gates Hastings; to the Committee on Invalid Pensions.

By Mr. JOYCE: A bill (H. R. 31122) granting an increase of pension to Frank Munson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31123) granting an increase of pension to Convers C. Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31124) granting an increase of pension to George W. Harper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31125) granting an increase of pension to Joseph Burton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31126) granting an increase of pension to Jackson Kindsman; to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 31127) granting an increase of pension to Charles Austin; to the Committee on Invalid Pensions.

By Mr. LATTA: A bill (H. R. 31128) granting an increase of pension to Miles Zentmyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31129) granting an increase of pension to Hans H. Moeller; to the Committee of Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 31130) granting an increase of pension to Charles R. Lowell; to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 31131) granting an increase of pension to Hiram D. Alford; to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 31132) granting an increase of pension to Ernest Weinhold; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 31133) granting a pension to Neriah B. Kendall; to the Committee on Invalid Pensions.

By Mr. MASSEY: A bill (H. R. 31134) granting an increase of pension to William C. Tilley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31135) granting an increase of pension to John E. Greene; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31136) granting an increase of pension to John J. Proffitt; to the Committee on Pensions.

Also, a bill (H. R. 31137) granting an increase of pension to Jesse Maloy; to the Committee on Pensions.

Also, a bill (H. R. 31138) granting a pension to Lemiel A. Ragan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31139) granting a pension to Thomas Lorge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31140) for the relief of Lincoln S. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 31141) to correct the military record of Thomas Ownby; to the Committee on Military Affairs.

By Mr. MOON of Tennessee: A bill (H. R. 31142) for the relief of Mary E. Coppinger; to the Committee on War Claims.

By Mr. NYE: A bill (H. R. 31143) granting an increase of pension to David P. R. Strong; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 31144) granting a pension to Charles E. Frizzell; to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 31145) for the relief of the son of the late Thomas J. Brereton; to the Committee on War Claims.

By Mr. PICKETT: A bill (H. R. 31146) granting an increase of pension to Samuel Sewell; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 31147) granting an increase of pension to John E. Rockwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31148) granting an increase of pension to John Mooney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31149) granting an increase of pension to Anson B. Carney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31150) granting an increase of pension to Isaac Babcock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31151) granting an increase of pension to William Maxfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31152) to remove the charge of desertion from the record of William R. Capwell; to the Committee on Military Affairs.

Also, a bill (H. R. 31153) to remove the charge of desertion from the record of Harry Heyleman; to the Committee on Military Affairs.

By Mr. PRAY: A bill (H. R. 31154) granting an increase of pension to Solomon Sibley; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 31155) granting an increase of pension to John A. Kersey; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 31156) granting an increase of pension to Michael Manahan; to the Committee on Invalid Pensions.



By Mr. SIMMONS: A bill (H. R. 31157) for the relief of Welcome M. Brackett; to the Committee on Military Affairs.

By Mr. SNAPP: A bill (H. R. 31158) granting an increase of pension to William O'Callaghan; to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 31159) granting an increase of pension to Francis M. Hesler; to the Committee on Invalid Pensions.

By Mr. YOUNG of Michigan: A bill (H. R. 31160) for the relief of C. Horatio Scott; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of W. H. Wilcoxon, preferring charges against the Secretary of the Interior relative to the management of the Hot Springs Reservation; to the Committee on the Public Lands.

By Mr. ANDERSON: Papers to accompany bills for relief of Isaac Chamberlain, John H. Carpenter, Nicholas Frankhouser, Samuel H. Delay, William L. Frisbey, John Fralick, Isaac Furman, Jacob Gish, and Liberty Gary; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: Petition of Mrs. Amelia Thorn, of Defiance, Ohio, against a rural parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Petition of Coshocton (Ohio) Council, No. 65, Junior Order United American Mechanics, for restricted immigration; to the Committee on Immigration and Naturalization.

Also, petition of D. C. Steiner and other merchants of Sterling, Ohio, against parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BARCHFELD: Paper to accompany bill for relief of Frederick B. Lewis; to the Committee on Invalid Pensions.

By Mr. BENNET of New York: Paper to accompany a bill for relief of Catherine A. Fox; to the Committee on Claims.

Also, paper to accompany bill for relief of J. L. Bullard; to the Committee on Military Affairs.

By Mr. BURKE of South Dakota: Petition of Yankton Commercial Association, favoring San Francisco as site of Panama Exposition; to the Committee on Industrial Arts and Expositions.

By Mr. CALDER: Petition of Downtown Taxpayers' Association, for construction of the new battleship at the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, petition of the Congress Club of Kings County, N. Y., for continuance of construction of war vessels in Government yards; to the Committee on Naval Affairs.

Also, paper to accompany bill for relief of Annie L. Staliker; to the Committee on Invalid Pensions.

By Mr. COCKS of New York: Petition of citizens of New York State, favoring bill to increase efficiency of the Life-Saving Service (S. 5677); to the Committee on Interstate and Foreign Commerce.

By Mr. COX of Ohio: Petition of J. E. Gates, of Eldorado, Ohio, favoring application of the maximum law against Germany relative to potash; to the Committee on Ways and Means.

By Mr. DAWSON: Petition of G. W. Wichmann and other citizens of Davenport, Iowa, against rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. DIEKEMA: Petition of G. C. Schouwalter and G. Vanden Basce & Son, against the proposed rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. DICKINSON: Paper to accompany bill for relief of William M. Gregg; to the Committee on Invalid Pensions.

Also, petition of many citizens of Missouri, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. DWIGHT: Petition of J. E. Belknap and others, against Senate bill 40 and House joint resolution No. 17, Sabbath observance, etc.; to the Committee on the District of Columbia.

By Mr. ESCH: Petition of citizens of Wisconsin, for Senate bill 5842, amending the present oleomargarine law; to the Committee on Agriculture.

By Mr. FOSTER of Illinois: Petition of Illinois State Teachers' Association, against extending the benefits of the Morrill Act to the George Washington University; to the Committee on Agriculture.

By Mr. FULLER: Petition of C. M. Porter, of Lincoln, Nebr., for House bill 17883; to the Committee on the Post Office and Post Roads.

Also, petition of F. H. McKindley and others, of Sandwich, Ill., against a local rural parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Morris, Ill., against rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. GARDNER of Massachusetts: Petition of residents of Essex County, for Senate bill 5677, relief of members of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of George K. Knowlton and other citizens of Hamilton, for the so-called Walter Smith bill, prohibiting transportation of prize-fight pictures; to the Committee on Interstate and Foreign Commerce.

By Mr. GILL of Missouri: Petition of citizens of St. Louis, Mo., for amendment of the United States statutes of extradition; to the Committee on Foreign Affairs.

By Mr. HAMLIN: Papers to accompany bills for relief of Joseph W. Hawkins and Josiah Baugher; to the Committee on Military Affairs.

By Mr. HAMMOND: Petition of citizens of Minnesota, against extension of parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. HANNA: Petition of citizens of North Dakota, against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of M. T. Joyce and others, of Harvey, N. Dak., favoring a department of public health; to the Committee on Agriculture.

Also, petition of Woman's Literary Club of Wahpeton, N. Dak., for Federal investigation of causes of diseases among cattle; to the Committee on Agriculture.

Also, petition of Grant Baxter and others, for House bill 26791, additional compensation to rural free-delivery carriers; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Larimore, N. Dak., favoring Senate bill 3776, regulation of express companies by the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. HELM: Paper to accompany bill for relief of J. W. Allen; to the Committee on War Claims.

By Mr. HOLLINGSWORTH: Petition of Ministerial Association of Barnesville, Ohio, for the Burkett-Sims bill; to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany bill for relief of James V. Gillespie; to the Committee on Invalid Pensions.

By Mr. HOUSTON: Petition of citizens of Lewisburg, Tenn., for appropriation for a post-office building in Lewisburg, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. KNAPP: Paper to accompany bill for relief of Charles Austin; to the Committee on Invalid Pensions.

Also, petition of residents of Jefferson County, N. Y., favoring Senate bill 5677, life-saving efficiency bill; to the Committee on Interstate and Foreign Commerce.

By Mr. LANGHAM: Petition of Leachburg (Pa.) Hardware Co., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of William Dewatt, S. D. Frank, Daniel K. Bee, and Thomas Critchet, favoring the enactment of House bill 17883; to the Committee on Invalid Pensions.

By Mr. LINDBERGH: Petition of citizens of the sixth congressional district of Minnesota, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LAWRENCE: Petition of merchants of Greenfield, Mass., against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. LLOYD: Petition of citizens of the first Missouri congressional district, against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Paper to accompany bill for relief of William Harman; to the Committee on Invalid Pensions.

By Mr. MCHENRY: Petition of Grange No. 1126, Patrons of Husbandry, of Loretto, Pa., favoring Senate bill 5842, relative to oleomargarine bill; to the Committee on Agriculture.

By Mr. MCKINNEY: Petition of Illinois State Teachers' Association, against extension of the Morrill Act to the benefit of the George Washington University; to the Committee on Agriculture.

By Mr. MASSEY: Papers to accompany bills for relief of Thomas Sloan and Rachel Large; to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of John E. Greene; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of Mary E. Coppinger; to the Committee on War Claims.

By Mr. MOORE of Pennsylvania: Petition of Niagara Alkali Co., Niagara Falls, N. Y., against a tax on muriate of potash; to the Committee on Ways and Means.

Also, petition of Union of Orthodox Jewish Congregations of United States and Canada, against further restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of John T. Lewis & Bros. Co., of Philadelphia, approving amendment to the law as made by the Postmaster General in his report to the President relative to forwarding certain classes of mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of Lumbermen's Exchange of Philadelphia, favoring building of a 1,700-foot dry-dock at the Philadelphia Navy Yard; to the Committee on Naval Affairs.

By Mr. MORSE: Petition of Antigo Division, No. 462, Order of Railway Conductors, favoring investigation of causes of tuberculosis, typhoid fever, and other diseases originating in dairy products; to the Committee on Agriculture.

Also, petition of Antigo Division, No. 462, Order of Railway Conductors, for repeal of the tax on oleomargarine; to the Committee on Agriculture.

By Mr. OLDFIELD: Paper to accompany bill for relief of Polk D. Southard; to the Committee on Invalid Pensions.

By Mr. RODENBERG: Petition of citizens of the twenty-second congressional district of Illinois, protesting against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. RUCKER of Colorado: Petition of W. H. Powell and others, indorsing House bill 27832; to the Committee on Pensions.

By Mr. SHEFFIELD: Petition of Representative Council, T. Fred Kaul and 86 others, John P. Sanborn and 5 others, and J. Anthon Barker and 26 others, of Newport; H. M. Ball and 48 others, of Block Island, all in the State of Rhode Island, favoring Senate bill 5677, a bill to promote efficiency of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of citizens of New York City, for Federal registration of automobiles (H. R. 5176); to the Committee on Interstate and Foreign Commerce.

Also, petition of memorial committee of the Grand Army of the Republic of the State of New York, favoring promotion of Gen. Daniel E. Sickles to the lieutenant generalcy; to the Committee on Military Affairs.

Also, petition of Retail Clerks' International Protective Association, against increase of hours of labor for Government clerks; to the Committee on Labor.

Also, petition of Luther H. Gulick, for an appropriation to the Bureau of Education to secure experts in various departments of education; to the Committee on Education.

By Mr. THISTLEWOOD: Petition of citizens of the twenty-fifth congressional district of Illinois, against a parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of Illinois Teachers' Association, against extension of the benefits of the Morrill Act to the District of Columbia; to the Committee on Agriculture.

## SENATE.

WEDNESDAY, January 11, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. J. Brown, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 24145. An act for the establishment of marine schools, and for other purposes; and

H. R. 29346. An act granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 115. An act for the relief of Marcellus Troxell; and

S. 3904. An act for the relief of the Merritt & Chapman Derrick & Wrecking Co.

### PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of the Merchants' Association of Honolulu, Territory of Hawaii, remonstrating against the enactment of legislation requiring the irrigation and reclamation of public lands in that Territory, and also against the enactment of legislation granting to J. T. McCrosson, his associates and assigns, certain water rights on the military reservation at Wainae-Uka, island of Oahu, Territory of Hawaii, which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a memorial of the executive committee of the Republican Party of the Territory of Hawaii, remonstrating against the enactment of legislation to prohibit the sale of intoxicating liquors in that Territory, and also against the enactment of legislation granting to J. T. McCrosson, his associates and assigns, certain water rights on the military reservation at Wainae-Uka, island of Oahu, Territory of Hawaii, which was referred to the Committee on Pacific Islands and Porto Rico.

Mr. SHIVELY presented petitions of the Indiana Historical Society, the Ohio Valley Historical Association, and the Mississippi Valley Association, praying that an appropriation be made for the preservation of the languages of the Indian tribes of the Ohio and Mississippi Valleys, which were referred to the Committee on Appropriations.

He also presented memorials of sundry citizens of River Park, Kyana, and Ferdinand, all in the State of Indiana, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. BEVERIDGE. I present a petition from the Commercial Club of Fort Wayne, Ind., praying for the passage of Senate bill 4982, to establish a court of patent appeals. I ask that the petition be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the petition was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

*To the Senators and Representatives of the United States in Congress assembled:*

The Commercial Club of Fort Wayne, Ind., and the Manufacturers' Club of the same city present this memorial.

The Commercial Club is the representative of all the business interests of Fort Wayne, and the Manufacturers' Club represents the manufacturing interests in said city.

The city of Fort Wayne—the third city in the State in population—depends mainly upon its manufacturing industries, which include about a hundred establishments and nearly as many different branches of manufacture, whose products are sold in all parts of the Union.

The citizens having these interests in charge are deeply concerned in the passage of the pending bills (H. R. 14622 and S. 4982) to establish a United States court of patent appeals. Their business is vitally affected by the administration of the patent law, and the uncertainty and confusion, which inevitably result in that branch of jurisprudence from the divided final jurisdiction vested in the nine independent United States Circuit Courts of Appeals, is a serious loss and injury to them.

Wherefore your memorialists ask of Congress speedy consideration of said bill and its enactment as law.

Done in obedience to the directions of the Commercial Club of Fort Wayne and the Manufacturers' Club of Fort Wayne, met in joint session December 30, 1910.

COMMERCIAL CLUB OF FORT WAYNE,  
By PERRY A. RANDALL, President.  
MANUFACTURERS' CLUB OF FORT WAYNE,  
By VAN B. PERRINE, President.

Mr. BURKETT presented a petition of Hayman Lodge, No. 1995, Modern Brotherhood of America, of Arapahoe, Nebr., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. DIXON presented memorials of sundry citizens of Garnet, Missoula, Grass Range, and Billings, all in the State of Montana, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. SCOTT presented a petition of Local Branch No. 77, Glass Bottle Blowers' Association of the United States and Canada, of Fairmont, W. Va., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

Mr. FLINT presented a memorial of the Mercantile Co. of Long Beach, Cal., remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Printers' Board of Trade of Los Angeles, Cal., praying for the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.